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A SHORT HISTORY OF CALIFORNIA

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A SHORT HISTORY OF CALIFORNIA

by

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PREFACE

So far as the present writers are aware, there has not been published for many years a serious single volume history dealing with the whole course of California's development, suitable at once for the use of the student and for the more thoughtful type of general reader. In writing this book, therefore, the endeavor has been to relate the story of California from the beginning to the present time in succinct form, not too long for the student or the busy reader but with sufficient detail to reveal the atmosphere of the successive phases. The authors have desired to do equal justice to the Spanish pioneers who fought their way to the discovery through the perils of the sea; to those of the Anglo-Saxon race who, with equal courage and pertinacity, struggled over mountain and desert to the same goal; and, finally, to those coming afterward who by their genius and industry built up a great commonwealth on this western shore.

It is the hope that such a book will prove a welcome and dependable text for ever increasing numbers of students in the colleges and other institutions of learning, where Western history is rightly being more and more emphasized. To this end, also, suggested References for Further Reading have been presented to follow the respective chapters. A further hope is that it will prove a useful volume to that large body of intelligent readers both in and out of the state who wish to acquaint themselves with the growth and salient facts of California history without their being compelled to depend upon works of several volumes or books long since out of date.

Grateful acknowledgment is made to the Lewis Pub-

lishing Company of Chicago for permission to use portions of *California and Californians;* also to the Historical Association of California for data used in preparing the map showing American routes. Special thanks are due Professor Herbert E. Bolton of Berkeley for his continued interest and assistance; to the librarians of the University of California and the University of Southern California; and to the many colleagues and friends who by kindly counsel or helpful suggestion have lent encouragement and inspiration for the present task.

July, 1929.

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Part I

THE TORCH OF CIVILIZATION

Chapter I

THE HIDDEN PARADISE

THE discovery of California, despite its unusual attractions for the abode of man, came late in the history of the world. The principal cause of this long delay was its isolated position on the globe, equally remote from the great civilization of the East and that of the West.

Geographical Isolation of California

The difficulties in the way of approach from any direction were many and great. On one side the region now known as California was guarded by a vast, unexplored continent; traversed by high, rugged, often snow-covered mountain ranges, by broad, unfordable rivers, trackless forests, and waterless deserts. Added to these natural obstacles was the presence, widely scattered over the continent, of fierce and war-like native inhabitants.

That the feat of crossing this great stretch of country was supremely difficult is proved by the experiences of later years, even after the eastern half was entirely civilized. When John Charles Frémont crossed the Sierra Nevada in 1843, he and his troop of hardy pathfinders narrowly escaped death from cold and starvation in the deep snows. The tragic story of the "Donner Party," lost and starving in the heart of the Sierra, is known to every one. Death Valley acquired its lugubrious name from the death in its arid wastes of a party of immigrants. The long trail of the "covered wagon" on the way to the land of gold was marked by piles of whitening bones of the luckless horses and cattle which perished

in the effort, and here and there was a little mound to tell of some human being whose life had been the sacrifice. It was not, indeed, until the two far distant shores were linked by the Pacific Railroad that the danger and struggle of the approach to California from that side were eliminated.

On the west the sun sank in a seemingly limitless waste of waters. When Magellan passed through the straits now bearing his name and came out on the great unknown sea on the other side, because he sailed on its calm bosom for three months without encountering a storm he called it the "Peaceful Sea." Later navigators who experienced the violent tempests which sometimes rage across its surface in more northern latitudes resented this name and thought it would have been more fitly called the "Restless." This broad and stormy ocean made California nearly as difficult of access on the west as the asperities of the land made it on the east.

The approach along the coast from the south was greatly impeded by head winds which often drove the ships of the Spaniards hundreds of miles backward on their course and sometimes far out to sea. It was only by patient tacking and beating to windward, often for weeks at a stretch, that these tiny sailing vessels were able to make a northing. Ulloa, the first white man to round the point of Baja California, in 1539, complained bitterly of the northwest wind which hindered him from making progress, calling it in anger the "king of all that coast." Added to the opposition of wind and weather were the terrible sufferings of the crews of these vessels from scurvy, for which no remedy was then known. It often happened that so many of the sailors died or were incapacitated from this disease that not enough were left to man the vessel and it drifted at the mercy of wind and wave, while its decks rang with the cries of the sufferers.

In the north the grim Ice King defeated every attempt of the bold sailors to force their way through the Arctic labyrinth from the Atlantic Ocean, and thus effectually barred the way to California from that direction.

But even though men died by hundreds, though ship after ship sank to a watery grave in the depths of the misnamed Pacific, nothing could halt the indomitable spirit of the Spanish navigators; league by league, each reaching a little higher latitude than the one before him, they made their way up the coast from the south, and at last the "terrestrial paradise" was won.

Topography

In its topography California was built by nature after a simple but grandiose plan. Its chief surface features are the two mountain chains which traverse almost its entire length, and the great central valley lying between them. It has not the great rivers of the eastern coast. Though the western slope of the Sierra Nevada is seamed by many water-courses, wild, boisterous, picturesque beyond description in the days of their turbulent youth, calm and serene in their maturity after debouching upon the floor of the great valley; yet it has few navigable streams. The Sacramento and the San Joaquín are the only rivers practicable for extensive navigation. A glance at the map gives the impression that except for the dividing plain it is entirely mountainous; but a journey through the country discloses a multitude of long, narrow valleys nestling between the summits of the Coast Range. It is in these valleys, some large and some small, each with its own distinctive climate and products, that much of the agricultural wealth of California lies. When Frémont first saw the plain of the San Joaquín and the Sacramento it was still virgin from the plough and lay spread out before him like an immense natural bed of wild flowers, one

grand sweep of purple and gold four hundred miles long and fifty wide, upon which herds of antelope could be seen peacefully grazing. Since then the valley has become the granary of the world, and during the great World War thousands in stricken Europe were saved from starvation by the bounty of this fertile plain in far California.

Climate

The famous "climate" of California is a misnomer in one respect, for it takes on such Protean forms that it would be nearer the truth to speak of it as "climates." For want of a better term it is generally characterized as "semi-tropical," but no traveller in the high Sierra in mid-winter, when the snow sometimes lies from fifteen to twenty feet deep on the level, will see anything "tropical" about it; and, on the other hand, he who finds himself in the heated valleys in mid-summer, when the thermometer has been known to seek a world's high record, will fail to see the force of the "semi." In fact, its climates are so infinite in their variety that he will be a hard man to please who cannot find one that suits him somewhere within its borders.

What is usually meant, however, by the characteristic California climate is that which prevails in the comparatively narrow strip of land lying between the Coast Range and the sea. It is a region of eternal spring, where

> so gently slide the seasons from summer to autumn and from winter to spring that summer seems but winter smiling, and winter but the summer born anew by the refreshing rain.

It is a land where there are always some flowers in bloom, where the rain falls softly, usually without accompaniment of thunder and lightning. There is some frost, but not heavy enough to stop the greening of the hills under the winter rains or the blooming of the roses

and calla lilies. Neither is it a hot country, for the light sea breezes and cooling fogs keep the temperature at a comfortable level. It is an even, changeless clime, with no extremes of heat or cold.

The wide range of climate throughout the other parts of the State, varying greatly sometimes within a few miles, makes possible a corresponding variety in vegetable and floral products. Every plant that grows in temperate zones and many that belong in the tropics find a congenial home somewhere in California. The same state that produces apples and cherries raises oranges, lemons, and grapefruit. Not many miles from the broad wheat fields of the San Joaquín Valley are the date and fig orchards of Imperial. It is this immense variety in agricultural products that gives California its unique place among the states of the Union, and every year a new possibility is discovered.

Flora

The natural flora resulting from this wide range of climate is correspondingly rich and various, probably not surpassed or even equalled by any region of like area in the Northern Hemisphere. John Bidwell, one of the earliest American pioneers, writes in his reminiscences: "Never did I expect to see the earth so beautifully arrayed in flowers as it is here. On sea-shore and mesa, in deep, cool cañon, on dry and open hill-slope, on mountain top, in glacier meadow, by stream and lake, in marsh and woodland, they paint the face of nature with a thousand colors, but everywhere the gold predominates."

Geological and Scenic Phenomena

Geologically speaking, California west of the Sierra is a young land, still in the throes of growth, a land of unrest. To quote the words of David Starr Jordan,

It has been five thousand years since Moses lived, and that period is as nothing as compared with the age of the hills around Los Angeles. The age of the hills there is but a day compared with the Sierras, and these mountains are mere infants as compared with the mountains of Canada.

Stupendous changes, sometimes abrupt, more often gradual, have taken place in the configuration of its surface in the ages that have rolled by since it became solid earth. The two principal mountain chains, the Sierra Nevada and the Coast Range, were forced up by titanic upheavals from beneath. The fiery origin of the Sierra chain is clearly shown in the lava beds with which its northern part is almost completely covered, and by the many extinct cinder cones in the region. One supposedly dead volcano, Lassen Peak, came to life a few years since and spouted out a huge stream of hot mud which poured down its sides and devastated everything in its path. At intervals it still floats a giant pennant of smoke from its summit to warn the careless inhabitants that the inner fires are ever smouldering. Lassen is one of the unique natural features in California, for it is the only active volcano in the United States outside of Alaska. Traditions exist to this day among the Indians of former eruptions in the Sierra. John Muir says:

They tell of a fearful time of darkness, when the sky was black with ashes and smoke that threatened every living thing with death, and that when at length the sun appeared once more it was red like blood.

The seething geysers and innumerable hot sulphur springs, safety-valves of subterranean laboratories, testify that the underlying forge fires are not yet wholly extinguished.

These mountain chains, mighty wrinkles on the face of Mother Earth, although higher at first than now, were probably then rather tame and uniform in their

outlines, but in the passing of the succeeding ages many forces combined to change their configuration. The slow, ponderous, resistless movement of glaciers; changes of temperature; frost; chemical action; the erosive effect of running water; successive shocks of earthquake—all have had a part in sculpturing the forms of beauty and sublimity that make California one of the wonders of the world. The Yosemite chasm, with its series of stupendous domes and peaks, of perpendicular walls nearly a mile high, of plunging cascades fed by glaciers, and its succession of waterfalls matchless in height and beauty—all within a radius of half a dozen miles—has been formed by these mighty forces. "The proud Sierra, scarred and knotted by avalanche, riven by earthquake, rent asunder by frost and fire, filed down by rasping glaciers, cut by winds into geometric irregularity, rounded by rain into symmetry and rhythm," sits aloof with the ice and snow on its distant peaks, while in the delicious valleys at its foot bloom fairy flower gardens of purple and gold.

The earth tremors which now and then startle the dwellers in this otherwise highly favored land show that these forces are not dead but merely sleeping, and that changes similar to those which have taken place in past times may occur again. Some of these changes were abrupt, but in general they were effected by successive slight displacements occurring through long periods of time. The sheer precipice which forms the eastern wall of the Sierra facing Owens Valley, reaching a depth of 10,000 feet in the Mount Whitney region, is a striking example of a vertical drop caused by earthquake shocks coming in succession.

It is a land of extremes and contrasts. Within its borders lie the highest point in the United States outside of Alaska, and the lowest. Mount Whitney raises its hel-

met-shaped crest to a height of 14,502 feet above sea level, and from the eternal snows of its summit one may almost look upon the hot sands of Death Valley, the lowest land in the United States, and lower than any other desert in the world except the valley of the Dead Sea in Palestine.

The story of the coast line of California has been one of change—of successive risings and sinkings, causing great variation in the configuration of the shore at different periods. That the shore line was once much higher than it is now is shown by the presence of sea shells, whale bones, and beach boulders on mountain tops far above the present level of the sea. Long ages ago the waves of the great ocean washed the base of the Sierra Nevada, but as the titanic forces below upheaved the floor of what is now the great valley, the waters were forced to recede.

The last chapter in the development of the coast line was a submergence which flooded the mouths of the rivers and formed the bays of San Francisco and San Diego. This submergence was not recent except in a geological sense, for the computation of the age of the shell mounds on the bay shore shows indisputably that the Indians were picking up their living there between three and four thousand years ago, proving conclusively that the shore line was practically the same then as now. Hence, if Francis Drake, when he landed in California in 1579, had enjoyed the good fortune to lay his eyes upon the noble bay of Saint Francis, he would have found it practically in its present condition.

California has not always enjoyed the agreeable climate that is now its boast, for it has gone through every phase in the transition from arctic cold to tropic heat. A few small glaciers yet left in the high Sierra tell of the time when the Ice King held sway, and "they are

still busily at work completing the sculpture of the summit peaks so grandly blocked out by their giant predecessors." The story of its tropical days is most dramatically told by the remains of the pre-historic animals found in the famous asphalt beds at Rancho La Brea, near Los Angeles. Ever since the tertiary age the quaking, sticky surface has been a "death trap" for unwary animals and birds long since extinct; and skeletons of the unfortunate creatures caught in it have been securely preserved down to our times, furnishing ocular evidence of the tropic life that once existed on our shores. These animals belonged to the age before man, and only a vivid imagination can picture the scene when huge mammoths, giant wolves, enormous camels, pre-historic horses, saber-toothed tigers, hideous ground sloths, and many other such frightful creatures roamed through the primeval forests of California.

Natural Resources and Unique Products

It is a land of the unique. The giant Sequoias, lords of the forest, represent the oldest living things on earth. These matchless trees live to a great age, probably five thousand years or more, and some of those now standing in the Big Tree groves were in their prime, waving their feathery fronds in the mountain winds, when Christ walked the earth. It is a sad tragedy that no Big Tree has been permitted to die a natural death, for those that have perished have been the victims of wanton destruction by man, burning or smashing by lightning, or overthrow by storms. Otherwise they would seem to be almost immortal, for they are immune to every disease that afflicts other trees, and their bark is strongly resistant even to fire. Hence it is that they have lived on through the ages, and it has been truly said that "no other tree in the world has looked down upon so many

centuries as the Sequoia, or opens such impressive and suggestive views into history."

The Monterey cypress, that weirdly picturesque denizen of the sea-coast, is unique in that it is found nowhere in the world except in a very small section of the shore of Monterey County. The exposure of these trees on the bold, unsheltered promontory of Cypress Point to the wild storms that blow in from the Pacific has twisted them into a thousand fantastic forms. A false fame has been given them by a widely spread but untrue story that they are identical with the Cedar of Lebanon. The real interest in them lies in the fact that they are native only to those wind-swept acres on the California shore, and that there are no others exactly like them in the world.

In the light of the almost limitless resources of California as we know them, it is surprising to read that Gaspar de Portolá, who led the first party of white men into the country, was discouraged by its apparent barrenness, and remarked that the Russians were welcome to such a desert. Then, as now, the soil bore in it the elements that were one day to bring forth the infinite variety of agricultural products that now make California the garden of the world. Then, as now, the great subterranean reservoirs of petroleum lay in the depths waiting to be brought to light and made to serve in a thousand industrial projects. The great areas of magnificent timber stood untouched. The winter snows in the high Sierra melted in the summer sun and ran wasted in brawling rivers to the sea, while the motive power of a multitude of waterfalls remained unharnessed to the uses of men. The yellow gold lay hidden in the dark recesses of the mountains waiting for the picks and shovels of a more ambitious race. The Spaniards, an ease-loving people, were content to live on the gains of their flocks and herds, and did not trouble themselves with more la-

borious occupations. They dreamed away a happy existence in the gracious clime and beautiful land which they were holding, all unconsciously, it is true, as wardens for the later comers. The aboriginal inhabitants of the country were a weak and barbarous race, wholly incapable of making use of its vast treasures except in the most primitive way. Yet their very incapability kept it inviolate as it came from the hand of Nature during the unnumbered centuries of their involuntary guardianship. It was a hidden paradise, waiting behind its barriers of sea and mountain and desert for the coming of the discoverer.

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Chapter II

DISCOVERY

WHEN in that memorable year 1492 Columbus sailed his little caravels boldly into the sunset sea, his chief motive was to discover a new and shorter route than by way of the East Indies to the "Spice Islands." [1] So eager was the demand among all the nations of Europe for the commodities produced by those islands that navigators were spurred to tremendous efforts to find a quicker and easier way to reach them than by circling the eastern hemisphere. The vast mass of land which unexpectedly rose up to block the path of Columbus was probably regarded by him at first as an obstacle, rather than as the most stupendous discovery of the ages.

Forerunners of the Discovery of California

But the purpose was not abandoned, and Balboa's sight in 1513 of the great ocean lying to the west of the new continent at once gave rise to an active search for a way to get around it at either end, or across it, and then continue the quest by sea for the greatly desired islands. The passage of Magellan in 1520 through the stormy strait at the southern extremity now bearing his name made it clear that entrance in that direction was too hazardous to be practicable for the small ships of that period; and it served to stimulate the efforts of the hardy mariners, not only of Spain but of England and other maritime nations, to break through the wall of ice and snow barring them from the shorter passage to

[1] Spice Islands was the name given to the group forming the easternmost division of the Malay Archipelago, also called Moluccas.

Cathay which they firmly believed to exist in the labyrinths of the frozen north.

Search for the Arctic Passage

On the Atlantic side the ardently sought opening was known as the "Northwest Passage," while in the Pacific the Spanish navigators knew it as the "Strait of Anián," a name of unexplained origin. As eagerly as Ponce de León looked for the fountain of youth on the eastern shore did his countrymen seek the western entrance to the mythical strait. Romance, as well as the convenience of trade, had its part in this great movement to the north. It was an age when men still believed in giants, griffins, Amazons, and other strange figments of the imagination. It was widely rumored that rich cities and all sorts of marvels were to be found on the banks of the Arctic strait. All the fables that had served to lure the Spaniards to fresh explorations in the south—the Seven Cities of Cíbola,[2] the rich kingdom of La Gran Quivira,[3] even the lake of gold of El Dorado[4]—now performed the same part in the ice and snow of the north.

So strong was the urge in this direction that it may be said the search for the Strait of Anián was the most powerful factor in the discovery of California. Ban-

[2] The Seven Cities of Cíbola was the name given to a group of seven villages of the Zuñi Indians, of which highly colored reports were brought out by early travellers, leading to an active search for the seven cities by the Spaniards, who were constantly moving their supposed location ahead.

[3] Gran Quivira was a fabled city where it was said the common kitchen utensils were made of solid gold. This was one of the lures that led the Spaniards on in their explorations.

[4] The story of El Dorado (the gilded man) was based on the actual existence of an Indian chief in the mountains of Bogotá who had his whole body painted with gold dust every morning and washed it off again in the evening. In the ceremonial his followers threw objects made of gold into the lake where it took place. This was another of the famous tales which lured the Spaniards on in their frantic search for gold.

croft says, "But for this influence it may almost be doubted that Spanish occupation at the end of the sixteenth or even the seventeenth century would have extended above Colima on the Pacific or Pánuco on the Atlantic." Out of it came the voyage of Cabrillo in 1542, the first expedition known to have resulted in the setting foot on the soil of Alta California by men of the white race.

Spain had more reasons than other nations for desiring to find this passage. Besides the general motive of opening a shorter route to the Spice Islands, there was the fear that some enemy nation, particularly England or Russia, might find it first and fortify it, thus establishing a base from which the Spanish possessions in the Pacific could be readily reached and attacked. If such an opening between the two oceans existed, it behooved Spain to be the first to reach and fortify it for its own protection. In time this menace of foreign invasion came to overshadow all other considerations in the search for the western entrance to the supposed strait. When Francis Drake, the English privateer, buccaneer, or pirate, as he is variously regarded, made his famous voyage around the world in 1579, his return route after touching at California was not known, and for years it was rumored that he had found the fabled northern passage and sailed through it on his homeward journey.

Cortés and the Amazon Island

After Hernando Cortés had completed his conquest of Mexico he turned his eyes towards the newly discovered western sea, eager for new worlds to conquer. He was early urged by the Emperor, Charles V, to engage in the search for the northern strait; and in addition to this motive he had private reasons for entering upon it. He

still hoped to find that beautiful isle of the Amazon Queen, rich in pearls and gold, which rumor constantly moved farther and farther north. In his orders to one of his lieutenants he said: "I am informed that on the coast below which borders on this town [Colima] there are many provinces well populated with people, where it is believed there are many riches, and that in these parts there is one province which is inhabited by women without any men; and it is said of them that they produce their progeny in the same manner as is related in the ancient histories of the Amazons; and in order to learn the truth of all this and of whatever there may be on that coast you shall follow it down, so that you may learn the secret of what is related above."

The several expeditions which Cortés sponsored, though they failed to find the mysterious strait, resulted in the discovery of the peninsula of Baja California; hence, since the region which first bore that name was supposed to extend illimitably towards the north, he may properly be regarded as the "father" of California.

Opening of Trade Route to the Philippines

Besides the search for the Straits of Anián and the lure of mythical riches, the conqueror had still another and a potent reason for undertaking these explorations in the Pacific. When Magellan passed through the strait at the southern end of the continent in 1520 and entered the vast new ocean which he named the "Peaceful Sea," he boldly struck straight across it, and thus became the discoverer of the Philippine Islands [5] from that side of the world. From that time the government of Spain became intensely interested in establishing a maritime line

[5] The Philippines are a group of 3,141 islands, forming a part of the East Indian Archipelago. They were sometimes included in the Spice Islands. They were discovered by Magellan in 1521, coming by way of the Western Hemisphere, and were named for King Philip of Spain.

of trade between America and the islands. This was one of the objects of the voyages in the Pacific undertaken by Cortés or the lieutenants under his direction. As a preliminary he established a ship-building station at Zacátula on the western shore, where he sent carpenters and shipwrights to build at his expense four vessels. The construction of these ships was in itself a remarkable feat, illustrating the determined character of the man. All the iron work and rigging had to be brought from Vera Cruz on the backs of men and women.

After these immense difficulties had been overcome and the ships were at last ready, in 1527 three of them were sent out bound for the Moluccas, under command of Alvaro de Saavedra, a cousin of Cortés. This expedition actually reached the islands and started on the return voyage with a cargo of cloves, but about midway the commander died and the crew turned about and went back to the islands, where they were captured by the Portuguese, then at war with Spain.[6] Cortés then resolved to push his discoveries northward up the coast, and for this purpose sent out two ships under Hurtado de Mendoza. This expedition ended in mutiny, and the commander was never heard of again. Still not disheartened, the indefatigable conqueror set to work to outfit two more ships, which he despatched under Captain Diego de Becerra. This voyage also ended in mutiny, led by the pilot Fortún Jiménez, who slipped upon Becerra in the night while he slept and killed him. The mutineers then continued the voyage and finally landed, either late in 1533 or early in 1534, in a bay on the gulf

[6] The Indian Archipelago was discovered by the Portuguese coming by way of the Eastern Hemisphere in 1509, when they landed at Sumatra. When Magellan came from the other direction in 1521 and discovered the Philippines while in the employ of Spain hostilities immediately ensued between the two countries, continuing until 1529, when a treaty was made fixing the boundary between Spanish and Portuguese at 17 degrees east of the Moluccas, a line which remained a source of dispute thereafter.

shore of the peninsula, at a spot where rumor had reported there were pearls. This place, generally believed to be identical with the modern La Paz, was inhabited by savage Indians. When the Spaniards went ashore to get water they were attacked and all killed but two sailors, who had been left on the ship and who finally made their way back to the mainland and told the tragic story. Thus occurred, not in a blaze of glory, but in blood and crime, the event which was the prelude to the discovery of Alta California.

Landing of Cortés on the Peninsula

The news of this third failure was a heavy blow to Cortés; but with resolute heart he determined now to send no more captains but to go himself. On the third of May, 1535, he entered the bay where the massacre occurred and took formal possession in the name of the King of Spain, calling the place Santa Cruz. At the time when the great leader undertook these discoveries in the Pacific he found himself surrounded by enemies among his own people both in America and in Spain. His phenomenal success had aroused the jealousy even of the king himself, and he was thereafter constantly harassed by the machinations of his opponents. Discouraged by all this opposition and desiring greatly to be once more with his wife and children, he decided to return to Spain and leave the colony at Santa Cruz in charge of Francisco de Ulloa. Having not yet abandoned his "hopes of mighty treasures to be found and the vast city of Cíbola," he left orders with Ulloa to proceed with ships that were in readiness and make a voyage to the north.

Voyage of Ulloa

The little fleet consisted of three small vessels, respectively of 120, 35, and 20 tons burden. In the lan-

guage of the diarist of the expedition, one Francisco Preciado, "We imbarked ourselves in the haven of Acapulco on the eighth of July in the yeere of our Lord 1539, calling upon Almighty God to guide us with his holy hand into such places where he might be served and his holy faith advanced." They then turned their prows towards the almost unknown Sea of Cortés, or Vermillion Sea, as the Gulf of California was then variously called.

Following the mainland shore, Ulloa made his way directly to the head of the gulf, expecting to find an opening there through the land to the open sea, for California was still thought to be an island. After vain efforts to find this passage, he turned about and retraced his steps, this time hugging the gulf shore of the peninsula, until he reached Santa Cruz, the port of the first discovery by Jiménez. The failure to find the passage at the head of the gulf seems to have weighed heavily upon the minds of the voyagers. Preciado says, "Whereat we were sorry, because we were always in good hope to find some outlet in some place of that land, and that we had committed a great error in not searching out the secret whether that were a strait or a river which we had left behind us unsearched at the bottom of this great sea or gulf." The "strait or river" which he mentions was of course the Colorado River, into which they observed that the sea ran and ebbed with great fury.

After resting in the harbor of Santa Cruz for eight days, taking on wood and water, they determined to run along the outward western coast and examine it. In their attempt to reach and round the point of the peninsula they were baffled for many days by contrary winds, finally running into a violent tempest. For eight days they beat up and down in the storm, riding before the

wind during the day and returning upon their course at night, while they constantly prayed for a wind that would take them forward on their journey. Finally the point was rounded, and Ulloa turned his prows northward into uncharted waters of the South Sea,[7] and so started on the first lap of the series of voyages which were to lead eventually to the discovery of Alta California.

Sailing slowly up the coast, constantly harassed by a strong northwest wind, observing the lights of many Indian fires on the land, going ashore at one point and having a sharp encounter with hostile natives, the voyagers kept on until on January 5 they came in sight of Cedros Island, so called because of the large number of tall cedars on the summit. Here they landed and took possession in spite of the Indians, who bravely attacked them with sticks and stones. After a desperate battle with opposing winds, they managed to round the island, when it was decided to send back the largest ship to the home port. Ulloa continued in one of the smaller vessels to about 29 degrees north latitude, where he was compelled by contrary winds and lack of provisions to turn about and sail for home, thus missing by a very narrow margin the glory of being the first white man to rest eyes upon the shores of Alta California.

The chief results of this voyage were the revelation of the fact that the land believed to be an island was in reality a peninsula; the discovery of the island of Cedros; and the exploration of the coast, including the inner shores of the gulf, as far as 29 degrees. All of this was important, but nevertheless Ulloa received little credit for his achievement, possibly on account of the general

[7] South Sea was the name given by Balboa to that part of the ocean which washed the southern shore of the Isthmus of Panamá, in contradistinction to the North Sea, as the Atlantic was called for the reason that it washed the northern shore of the Isthmus. Magellan afterwards re-named the South Sea the Pacific.

disappointment because he failed to bring back news of the Strait of Anián, the Seven Cities of Cíbola, and all the other fabled places said to be rich in treasure. Even the old error representing California as an island cropped up again and occasionally appeared on maps until as late as 1784, although by that time its peninsular character was well known.

When Cortés shook the dust of Mexico from his feet, he left his bitterest enemy, Viceroy Mendoza, in full charge. Mendoza was a man of abounding ambition, and as soon as he found himself relieved of his principal rival by the departure of Cortés, he set to work with great eagerness to carry out the various projects he had in view for explorations by sea and land. There were two prime motives behind these enterprises—first, to find the long-sought Strait of Anián; second, the quest for the riches of the "seven cities," as reported by Fray Marcos de Niza, a priest who had penetrated to the land of the Pueblo Indians, and whose reports had been wildly exaggerated in passing from mouth to mouth.

Cabrillo Discovers Alta California

Among other undertakings, one being the famous military expedition through Kansas by Vázquez de Coronado, it was decided to send out another expedition by sea to explore the coast beyond the limit reached by Ulloa. Orders were given to put two ships, the *San Salvador* and the frigate *Victoria,* in readiness. After some difficulty a suitable leader was found in the person of Juan Rodríguez Cabrillo,[8] a "navigator of great courage and honor and a thorough seaman." One could wish to learn more of the personal history of this man, the

[8] By Spanish custom the discoverer would properly be known as Rodríguez, Cabrillo being his mother's name, but long usage leads most historians to prefer Cabrillo.

actual discoverer of this land which has become so important a part of the Union, but very little is known of him except that he was a Portuguese by birth and a skilled mariner. There is some evidence that he was a follower of Cortés in the conquest of Mexico. It was a common thing for Spain, as well as other maritime nations, in those days to employ experienced navigators and seamen from other countries in the marine service. It was in that way that Columbus, the Genoese, discovered America under the protection of the king and queen of Spain.

Of the two small vessels to which the bold Portuguese navigator and his men entrusted their lives for a cruise on an unknown coast, Davidson says: "The vessels were smaller than any of our coasting schooners. They were poorly built and very badly outfitted. Their anchors and ironwork were carried by men from the Gulf of Mexico to the Pacific; they were manned by conscripts and natives; were badly provisioned, and the crews subject to that deadly scourge of the sea, scurvy. . . . I cannot withhold my admiration for the indomitable courage and perseverance of the older Spanish navigators who, in ill-conditioned and ill-supplied vessels, with crude instruments and methods, and with crews nearly destroyed with scurvy, fought their way from the tropics to the wildest parts of the Alaskan coast and across the Pacific regardless of seasons."

All being in readiness, the usual prayers having been offered to the All-Powerful for the success of the voyage, the sails were unfurled and the start made at midday of June 27, 1542, from the port of Navidad. Seven and one-half months were spent in this voyage, during which the entire Pacific Coast as far as 41 degrees and 30 minutes north latitude was explored. It was an error of judgment to start the expedition so late in the season, for

the violent winter storms which were encountered battered the ships so severely and protracted the voyage so long that it had to be reluctantly abandoned before its avowed purpose was accomplished. Nevertheless its discovery of California makes it the most important voyage made by Spain on our western coast.

On and on sailed the brave crews of the two little ships, alone and without refuge on a trackless sea. At times they were beaten back by the northwest wind, jealously guarding its momentous secret; at other times they were becalmed and rocked idly on the waves for days at a stretch, unable to make a northing. Their captain, so say the documents, paced the deck, peering anxiously into the mists ahead. He could not read there that he was to make a great discovery and lay down his life as a sacrifice. The adventurers were now on the threshold of the great event of their wanderings, but little they recked of it, for the country past which they sailed was all one to them, with no visible dividing line to show where the golden land began.

On Thursday, September 28, 1542, after three months of voyaging, they entered a "very good closed port, which they named San Miguel." This was the beautiful bay of San Diego, as it was renamed by a later navigator. The entrance into this bay on this date marks the discovery of Alta California. The same day of the arrival they went ashore and found some Indians, who exhibited great fear at sight of them. All fled but three, from whom they learned that people like themselves, bearded and wearing clothing, had been seen in the interior. The Indians made gestures to show how the white men threw the lance, and by galloping along the ground indicated that they were on horseback. They said the strangers had killed many of the natives, and it was for this reason that they were afraid. Here, as

elsewhere, Cabrillo treated the Indians with kindness, making them gifts of beads and other trifles, and endeavoring in every way to win their confidence. In this respect California is more fortunate in its early history than Mexico and South America, for its soil was never drenched with the blood of the unfortunate natives. The leaders of the various expeditions coming up this way, by sea and by land, were all men of superior character, and they came under strict orders from the home government to be just and forbearing in their dealings with the Indians.

At Santa Catalina Island the visitors spent a pleasant half day in friendly intercourse with the inhabitants. Sailing on and anchoring opposite places now well known, though under different names from those given them by Cabrillo—Santa Mónica, Ventura—they entered the Santa Barbara Channel, passing entirely through it and reaching the western extremity on the 18th of October, 1542. They found this channel teeming with a dense Indian population, superior to all the others they had seen during the voyage. Their well constructed and skillfully handled boats presented a marked contrast to the primitive rafts seen on the Lower California coast. The Spaniards marveled greatly to see such well shaped canoes, of boards tightly joined together and caulked with asphalt, all constructed with the rudest stone tools. The Indians were expert fishermen, and did not hesitate to run far out to sea in their light craft, which they handled with consummate skill.

On rounding Point Conception, the voyagers encountered a heavy northwest wind, which forced them to stand out to sea, where they came in sight of the islands now known as San Miguel and Santa Rosa. Seeking refuge from the wind, they ran into a snug port on San Miguel Island, the present Cuyler's Harbor. Of this

they took formal possession, calling it La Isla de la Posesión. This same harbor became their refuge in many a future time of storm and stress. They found this island well populated with Indians, who lived by fishing and carried on a trade with the people on the mainland in beads, which they manufactured from fish bones. They had some notion of personal adornment, and wore their long hair intertwined with cords in which were thrust daggers of flint, bone, and wood. They wore no clothing whatever, and had a curious custom of painting their faces in squares, like a checkerboard. Cabrillo spent a week on this island, in the course of which he suffered a fall, breaking his arm near the shoulder.

Notwithstanding this accident and the intense pain that it must have caused, the commander gave orders to continue the voyage in pursuance of their main object, the search for the Strait of Anián. Vague rumors of a great river or strait ahead kept luring them on, and in spite of furious winter storms they beat their way on until they sighted Northwest Cape, near Fort Ross, having passed without seeing them such important points as the bay of Monterey, the Golden Gate, and the bays of San Francisco and Drake.

The wind shifting, they were driven south again, and on November 16 discovered Drake's Bay, as it is now known. Here they took possession by dropping anchor in forty-five fathoms, but, because of the high sea, dared not land. On the 18th they set sail once more, and, again missing the Golden Gate, ran rapidly southward. In later years attempts were made by the English to claim the discovery of California for Francis Drake, but, as Davidson says, "The taking possession by Cabrillo on the 17th of November, 1542, thirty-seven and one-half years earlier than Drake, and when on a legitimate

voyage of discovery and exploration, proves the right of Spain to the discovery of California."

Unable to make a landing on all the rocky and forbidding coast north of Point Conception, Cabrillo's crews were glad to enter on November 23 their old safe harbor in San Miguel Island, and there rest from the constant buffeting of wind and wave. The almost continuous storms of the next two months compelled them to winter on the islands of the Santa Barbara Channel, chiefly on San Miguel. Here they sustained a great misfortune in the death of their commander, who died on January 3, 1543, as a result of the broken arm suffered in his fall on the same island before. There can be no doubt that the exposure of the hard northern voyage aggravated the injury and was a factor in causing his death.

Having laid him in the soil of the land which he died to discover, his men re-named the island La Isla de Juan Rodríguez. The drifting sands have long since obliterated his last resting place, and not even the name of the island has been retained to commemorate the greatness of his achievement. Though the records give us but little personal information concerning the discoverer of California, what is to be had shows him to be well worthy of that proud distinction. That he was beloved of his men is proved by the statement that "they returned to Navidad sorrowful for having lost their commander." His determination to go on with the voyage despite the severe injury which he had suffered bespeaks his courage and endurance. His devotion to duty is shown in his dying charge to his men to carry on the voyage and explore all that coast as far as possible.

Bartolomé Ferrelo, the pilot, now took command, and in obedience to Cabrillo's orders, set sail again to the north. Scudding before the storm, on March 1 Ferrelo

reached his northern limit, almost opposite Rogue River, Oregon. The crews being now in a pitiable condition and almost crazed with their sufferings, it was decided to turn their prows homeward, reaching Navidad on April 14, 1543.

Thus ended the first voyage to Alta California, a failure as far as its specific objects were concerned, but to posterity a magnificent success. It found no strait leading to the other sea; nor fabled cities where gold could be picked up in the streets; but by the daring deeds of its captains courageous the way was opened to the land whose name is now familiar to all the world. By Californians the name of Juan Rodríguez Cabrillo must always be held in the greatest reverence.

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Chapter III

CALAFÍA, THE AMAZON QUEEN

Mystery of the Name California

IN the list of the names of the states of the Union, one, California, remained until recent years a baffling mystery. In the case of every other name it was at least known whether it was Indian in origin or a transplantation from the homelands of the white discoverers. Those of indigenous origin, derived from the Indian, add a new, strange note to the music of the nomenclature of the country, making it what Robert Louis Stevenson called a "songful, tuneful land." Among them all California stood apart, wrapped in an impenetrable veil of conjecture which defied all efforts to draw it aside. It could not even be known whether its origin was Indian or not. Never did a mystery result in wilder or more fantastical attempts to solve it, all of which turned out to be very wide of the mark. Such theories as the derivation from the Latin *calida fornax* (hot oven), in reference to the hot, dry climate of the peninsula of Baja California; or *cala fornix* (vault) from an arch under a rock where Cortés and his men landed; or *cal y forno* (lime kiln); or the suspiciously apt name of a mythical priest called Father Cal y Fornia, are mere inventions, concocted in the brains of their originators without a shadow of evidence.

Las Sergas de Esplandián

The true explanation came to light in 1862, when Edward Everett Hale drew attention to the occurrence of this remarkable name, California, in an ancient Spanish

romance, *Las Sergas de Esplandián* (the exploits of Esplandián). This book was written by Garcí Ordóñez de Montalvo and published some time between 1492 and 1504, as a sequel to the famous novel of chivalry, *Amadís de Gaula,* by Vasco de Lobeira, a Portuguese writer whose death is known to have occurred in 1403.

Las Sergas de Esplandián is one of those impossible romances of chivalry, such as *The Round Table of King Arthur* and *The Paladins of Charlemagne,* which grew out of the crusades of the eleventh century. All the world, and in particular the people of Spain, went mad over these romances, in which traditions were conjured; Amazons created; and giants, griffins, and other fabulous creatures were made to live on land and in sea and air. The craze ran to such extremes in Spain during the sixteenth century that there was talk of prohibiting their publication.

The poetical head and type of this family of romances, the best example in point of literary style, was the *Amadís de Gaula,* which was translated into Spanish by Montalvo and which came to enjoy an immense popularity. Now comes the point with which we are most directly concerned. Montalvo, hoping to float a work of his own on the popularity of the *Amadís,* attached a fifth volume to the others which contained the novel written by himself called *Las Sergas de Esplandián.* Amadís of Gaul was set forth as a perfect knight, bound to vows of courage and chastity, and Esplandián was supposed to be his son, following in his footsteps.

In literary value the sequel fell far below the model which it attempted to imitate, but in its position as a part of the series there can be no doubt that it was widely read. The passion for this class of literature gradually decreased, and finally received its death blow from the ridicule heaped upon it by Cervantes in *Don*

Quixote. Cervantes showed his opinion of the comparative value of the two novels in the scene in *Don Quixote* where the curate, the barber, and the housekeeper are supposed to burn the books which had turned the brain of the "woeful knight." The first taken off the shelves was the *Amadís,* but this was saved as the best of its kind written. The *Esplandián,* however, was thrown into the fire, "for," said the curate, "the goodness of the father shall not avail the son. Throw him into the yard and let him make a beginning of the pile for the intended bonfire."

Our interest in this second-rate novel of chivalry, *Las Sergas de Esplandián,* lies in the fact that in it appears for the first time the unusual and pleasing word, *California.* It is there used as the name of a wonderful island of Amazons, ruled over by a pagan queen, Calafía, who went to the assistance of the pagan forces who were besieging the Christians in the city of Constantinople. The description of the island in the *Sergas* runs as follows:

I wish that you should know of a matter so very strange that neither in writings nor from the memory of people is it possible to discover how on the following day the city was on the point of being lost and how in that moment of peril it was saved. Know ye that at the right hand of the Indies there is an island named California, very close to that part of the Terrestrial Paradise, which was inhabited by black women, without a single man among them, and they lived in the manner of Amazons. They were robust of body, with strong and passionate hearts and great virtues. The island itself is one of the wildest in the world on account of the bold and craggy rocks. Their weapons were all made of gold. The island everywhere abounds with gold and precious stones, and upon it no other metal was found. They lived in caves, well excavated. They had many ships with which they sailed to other coasts to make forays, and the men whom they took as prisoners they killed. In this island, named California, there are many griffins. In no other part of the world can they be found. And there

ruled over that island of California a queen of majestic proportions, more beautiful than all others, and in the very vigor of her womanhood. She was desirous of accomplishing great deeds. She was valiant and courageous, and ardent, with a brave heart, and had ambitions to execute nobler actions than had been performed by any other ruler.

How did the name of this mythical island, invented at such an early date by a writer in far-away Spain, reach America and become attached to a region on its westernmost shore? The evidence connecting the two is at this time purely circumstantial, but is nevertheless so convincing that no reasonable person can doubt it. The novel in which the name occurs was at the height of its popularity at the time when Cortés was carrying on his explorations in America, and the inference is very strong that he and his men were familiar with it. The fact that he asked for the prohibition of romances of chivalry in the American colonies goes to prove that the craze had reached those parts, and may possibly have affected the discipline of his soldiers. Bernal Diaz, companion of Cortés, refers in his book to the *Amadís* several times, showing that he had read it, and since the *Sergas* was attached to it as a sequel it is only reasonable to suppose that it was read at the same time.

Granting, then, that the imaginary California of the story, with its Amazon queen and its riches of pearls and gold, was known to the discoverers, and adding to this the reports of just such an island in real existence which had reached the ears of the *conquistador* and his romance-seeking soldiers, with ocular proofs in the shape of pearls (from the pearl oyster beds of the peninsula) in the hands of the Indians, what could be more natural than that they should have decided to christen that beautiful isle of the sea which they believed lay to the north by the name of the fabulous one in the story? The pre-

sumption is too strong to leave much room for doubt, and it is the general belief among historians that the name was adopted from the novel, probably some time between 1535 and 1539.

It was at this time that Cortés wrote to the king about information he had of "an island of Amazons or women only, abounding in pearls and gold, lying ten days' journey from Colima." It was certainly understood by the Spaniards in the beginning that the peninsula was an island, an impression that they may have gained from the Indians at Colima, who told them of land lying across the water. Bancroft and Chapman hold the opinion that the name was given by Fortún Jiménez, the mutineer from the expedition sent out in 1533-34 by Cortés to explore the coast, which was the first to land on the shores of Baja California. In imagination one can almost hear those bronzed adventurers talking together, when they first set foot ashore, somewhat in this wise: "This must be the wonderful island the Indians have told us about, where they get the fine pearls we have so often seen in their possession on the mainland. Why not call the place California, after the rich island in that great novel that we have just been reading?" This, however, must be accepted as only conjecture, and the identity of the actual christener may never be known unless by the fortunate discovery of some long hidden document which will clear up the whole mystery.

It is true that the Spanish historian Herrera, in his *General History of America,* makes the positive statement that Cortés named the "island" of his discovery *California,* but as Herrera wrote more than sixty years after the event he may simply have jumped to the conclusion that the conqueror gave the name. It is certain that Cortés himself not only does not use the name in any of his letters or papers extant but he distinctly states that

From Pieter Goos's "Zee Atlas," published in Amsterdam, 1666.

MAP SHOWING CALIFORNIA AS AN ISLAND

he called the port of his first landing on the peninsula Santa Cruz, in honor of the invention of the Cross. The one thing that we may feel fairly sure of is that whoever did the world the great favor of bestowing upon the land which has become the home of millions its charming name took the suggestion from Montalvo's novel, *Las Sergas de Esplandián.*

There is some uncertainty as to whether the name was first used to designate the bay where the first discoverers landed; or a small island off that bay; or a number of islands in the gulf; or the cape at the end of the peninsula; or the peninsula itself in its supposed rôle of an island. The earliest maps bearing the name vary as to its location, but, whatever were the limits of its first application, it came in time to mean all that territory on the western shore from Cape San Lucas as far as the mysterious Strait of Anián, as the Spaniards called the long-sought Northwest passage through the Arctic.

The theory that the name was suggested to the discoverers by Montalvo's novel having been generally accepted, the question then arose, where did the author of that novel get it? Many explanations have been offered, such as the idea that Montalvo invented the word by putting together syllables from the Greek or Arabic, to mean "beautiful bird," in reference to the griffins, or "beautiful sky"; but these are merely guesses, with no more foundation in fact than the earlier attempts to solve the origin.

Song of Roland

Quite recently a discovery has been made which may point the way to the true explanation of the source from which the writer of the *Sergas* took the name California. Among the world's most famous pieces of literature is the *Chanson de Roland* (Song of Roland), the French epic poem dating, as nearly as can be ascertained, from

the latter part of the eleventh century. It was one of those poems which were perpetuated by the minstrels, who wandered about the country, paying for their entertainment in palaces and huts with their songs. It purports to be the story of the young knight Roland, nephew of the Emperor Charlemagne, and in it occurs the following passage, Charlemagne's lament for the death of his nephew:

> Dead is my nephew who conquered so many lands! And now the Saxons will rebel against me, and the Hungarians, Bulgarians, and many others, the Romans, the Apulians, and those of Palermo, those of Africa, and those of Califerne.

It is believed to be certain that Ordóñez de Montalvo, with his strong predilection for works of chivalry, must have read the *Chanson,* so popular throughout Europe at that time; and that it is likely his fancy was taken by the name Califerne, and that with a change in the spelling to make it more euphonious and more Spanish in form, he adopted it for his mythical island of pearls and gold. Certainly the resemblance between the two words is sufficient to give credibility to such a theory, especially as the two works of literature deal with the same material.

The Ancient Berber City, Kala-ifrene

Still more light has been thrown upon the subject by a French investigator, P. Boissonade, who has discovered evidence which leads him to believe that the Califerne of the *Chanson,* instead of being the name of a purely imaginary place, was in reality the designation of a great fortified city actually existing in northern Africa in ancient times. He suggests that the name is composed of two Berber-Arabic words, *kalaa* (a fortified city) and *iferne,* or *ifrene* (its principal citizens). The chief *kalaa-ifrene,* or capital city, of Barbary in the eleventh century, was so ancient that its founding was attributed to the giants. It

was a walled city, and became a great industrial metropolis, famous for its silks, to which streamed caravans from the Orient and the Occident, and which rivaled in magnificence the great cities of the Mussulman world. Excavations made in 1897-1908 have confirmed its existence as a center of civilization in that period. A Christian community, perhaps even a bishopric, existed there, and Gregory VII corresponded with its princes. Boissonade makes the application in the following words:

> This name, the Califerne of the *Song of Roland,* was to have a strange destiny; in a Portuguese and Spanish romance, *Las Sergas de Esplandián,* added to the *Amadís de Gaula,* in the fifteenth and sixteenth centuries, it designates the imaginary country of the Black Amazons; and then comes to be applied in America to the territory since famous under the name of California.[1]

If this theory is the true one—and it has many of the elements of probability, including the fact that all the other names of places mentioned in the *Chanson de Roland* are those of real countries—then the name of California has an even greater antiquity than had been thought, for this would carry it back to four centuries before the writing of the Spanish romance. It would place its origin in a magnificent walled city in northern Africa, a city which actually existed, but which was already so ancient in the eleventh century that its founding was attributed by tradition to the giants.

Little by little the veil of mystery in which this most intriguing of all the state names of the Union has been wrapped is being drawn aside, and some day the full truth may stand forth in all its romantic interest.

It is good fortune that among all the names by which the State was known in the first years of its discovery the most euphonious in sound and most fascinating in history should have been retained as its permanent appellation.

[1] Translated from the text of P. Boissonade by H. D. Austin.

Neither the name of New Albion, bestowed upon it by Francis Drake, by which it appears on some of the early maps, nor that of the Islas Carolinas, in honor of Carlos II of Spain, appeals to the ear or the sense of romance as does California, now known to the ends of the earth.

Bancroft's Untenable Theory

Finally, we have yet to consider a strange theory of the reason for the application of the name, which, as Chapman says, has been advanced by too high an authority to be passed over in silence. Bancroft suggests, and his suggestion has been accepted by Miss Ruth Putnam in her monograph on the name California, that it was given in derision by the discoverers to express their disappointment on finding the peninsula a barren desert instead of the rich and beautiful land they had expected to see. Miss Putnam thinks she can almost hear the jeering tone in which they pronounced the name; but to any one who has made a study of the methods used in western Spanish-American nomenclature this theory is entirely untenable.

In the first place, the name was applied before the Spaniards had any definite knowledge of the nature of the country, and, consequently, that knowledge could not have been the incentive for the name. The expedition under Cortés to the peninsula made no explorations of any consequence, and it was not until the voyage of Ulloa, in 1539, after the name had already been applied, that any extended information was acquired concerning the desert character and dry, hot climate of the region. Moreover, even in the diary of Ulloa's voyage occasional references to a "green and delightsome" country show that they found much to please them in parts, at least, of the newly discovered land.

It must also be taken into consideration that there was no good reason why they should be disappointed on

finding the country a desert, for they were not looking for green trees and babbling brooks, but for the yellow gold and the shining pearls, and none knew better than they that such things are more often found in just such bare, desolate lands than in any other.

It is to be said, too, that this sort of subtle mockery was entirely foreign to their simple, direct methods. When they desired to express annoyance they used names which clearly and unmistakably conveyed that idea. For instance, when Vizcaíno came up the coast and was delayed by contrary winds for eight days under the lee of a certain high shore, he called this irritating place *La Sierra del Enfado* (the tiresome hills). Another point where trouble was experienced was called *Cabo del Engaño* (cape deceit). We find such names as *Sal si puedes* (get out if you can), and *La Cañada del Hambre* (cañon of hunger), unmistakably descriptive of their sufferings in those places. They certainly never thought of calling these places by such names as Cape Delight, or Cañon of Plenty, in a labored effort to express derision. Had they desired to indicate such a thought in the name of the newly discovered country they would have been more likely to call it Disappointment Land, or something of that sort, which would have made their meaning perfectly clear.

Moreover, neither their words nor their subsequent acts denote any disappointment with the results of Ulloa's observations of the nature of the country. Instead of abandoning further explorations of this desert, their hopes of finding the rich treasure for which they were looking were as high as ever, and they soon started another expedition to search for it. In their breasts hope sprang eternal, and there is no reason to doubt that California received its name, not in mockery, but rather in hopeful anticipation of finding there all the pearls and

gold and other riches ascribed in Montalvo's romance to the mythical island of Queen Calafía.

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Chapter IV

INCENTIVES TO SETTLEMENT

The Strait of Anián

SPAIN continued to send expeditions in search of the Strait of Anián up to 1792, when two ships were despatched to the north to settle the question of its existence "once for all." As time went on, however, a great change came over the mental view and purposes of the Spaniards. The roseate dreams of great cities and other marvels thought to exist on the mythical passage slowly faded, and the search was kept up chiefly in the interests of defence against other nations. Moreover, it came to be realized that as a shorter route to the Spice Islands such a passage, even though it should be found, would be impracticable. The Spanish historian, Navarrete, says, "Later voyages proved that the gloomy and sterile regions of the strait present no attractions to the commercial navigator." But that it was no fiction was proved in the twentieth century by the passage through the Arctic of a modern Norseman, Roald Amundsen, a descendant of the vikings of old, in his good ship the *Gjoa,* now resting from her travels on the Cliff House beach in San Francisco.

The discovery of the Pacific Ocean by Balboa and of the Philippines soon afterward by Magellan gave to the Spaniards new ideas in regard to a route for trade with the Orient, that is, by a line of vessels plying directly between the islands and the American coast. The same object which sent Columbus with his little ships out into the great unknown—the expectation of fabulous profits from the spice trade in the East Indies—was the chief

reason for the movement of the Spaniards across the Pacific. Expedition after expedition—under Loaysa, Saavedra, Grijalva, and Villalobos—crossed from east to west in safety, but never a ship came back, for though the outbound voyage was easy, the return was fraught with a thousand difficulties, and every trial ended in disaster. Favorable winds blew the ships toward those spicy islands, but on the homeward trip the same winds beat them back.

Philippine Trade

Finally Philip II ordered a fleet sent for the express purpose of conquering the Philippines and finding a return route from Asia to America. The most skilled navigator in New Spain [1] at that time was Andrés Urdaneta, who had wearied of the world and taken holy orders, but who consented to leave the quiet of his cloister and serve the king, ostensibly as chaplain of the fleet, but in reality as chief sailing master. On November 24, 1564, the expedition started under Commander Legazpi from the newly established port of Acapulco on the west coast of New Spain, and this time, under the skillful direction of Fray Urdaneta, it succeeded in making its way back to the home port, arriving there on October 8, 1565, after a voyage of 129 days.

It was learned from the experience of this expedition that the only feasible way for ships to make the return trip was by sailing north on leaving the Philippines until striking the westerly winds, in from 30 degrees to 40, and then running before them to the American coast. The establishment of this route, with its first landfall on the coast of Alta California, at about the latitude of Cape Mendocino, proved to be a powerful factor in the occu-

[1] By "New Spain" was meant all of Spain's possessions in North America, although the term was sometimes used in a more restricted sense, extending no further west than Louisiana.

pation and settlement of that country, whose history from this time on was closely bound up with that of the Philippines, separated though they were by thousands of miles of ocean. A regular line of trading ships ran between the two continents for more than two centuries from this date, and it will be seen how the welfare of these ships influenced the Spaniards in settling and developing California.

The trade was never of sufficient magnitude to warrant more than one, or at the most two, ships a year, carrying bullion from Acapulco to be exchanged for merchandise at Manila. The last named place was the collecting point for the two great staples—silks from the north and spices from the south. The trade with the Philippines was at first very small, and the chief foundation of the commerce was in articles from China, in particular silks, which were brought by the Chinese junks to Manila to be loaded on the galleons. The outbound ship from Acapulco carried a light cargo, but the returning vessel was a veritable treasure house, filled with all the riches of the Indies—Chinese silks and cottons, precious stones, musk, benzoin, wax, amber, porcelain, metals, carved and inlaid chests and escritoires, knick-knacks of all kinds, birds that "talked and played tricks." Bales and chests were piled high in the cabins, and on the decks up to the very gunwales. One traveller says of it:

> The vessel was small—the wine, merchandise, commodities sent by the king, provisions, water, wine, in so great quantity it seemed impossible so little a ship could contain it. . . . We had hardly room to stand. Nobody could live under deck, it was so full of provisions and commodities. All men lay exposed to the sun and air.

The articles of luxury brought by the galleons found a ready sale in Mexico and Peru, where the people were living a life of riotous indulgence on silver from the mines.

These same commodities were shipped to Spain by way of Mexico, until the merchants of Seville complained that their profits were being cut down by this trade, upon which the government, always giving second place to the interests of the colonies, placed many hampering restrictions. Means were generally found, however, to evade these restrictions, and the business went on briskly.

The Philippine trade, originally a government enterprise, maintained and officered at royal expense, changed in nature, and finally gave way to private companies. In 1815 the galleon was removed, but in the 250 years that it continued it played an important and picturesque part in the history of California. All the romance of the sea is wound around the story of these ships, and the very name "Manila galleon" conjures up a thousand strange tales of the adventures of the men who risked their lives on those small and insecure craft. So perilous was the voyage considered that before sailing the crews all bade a sad farewell to relatives and friends, for they knew not when, if ever, they would again look upon their faces.

The outward trip from Acapulco usually required no more than two or three months of fair sailing, but the return was hazardous in the extreme, often taking from seven to nine months. The mere length of the voyage was the cause of a large part of the miseries of the crews. The food became corrupt, and the water supply failed altogether, compelling them to rely on the rainfall, caught in sails, barrels, or any receptacle handy. Scurvy began to get in its deadly work, and as they approached the coast of America body after body was thrown into the sea. The crews were so decimated, in fact, that by the time they sighted California there were often not enough able-bodied men left to man the small boats to go ashore for fresh water, or even to raise the anchor if it were dropped. So they limped on without stopping down the

coast, tantalized by the sight of its verdure, with battered and leaky hulls, spoiled provisions, putrid water, and sick and dying crews, until they reached Acapulco. The vessels were so small and of such an unwieldy shape that storms took heavy toll, sending many a richly loaded bark to the bottom of the sea. The loss of one of them cast a deep gloom over the community, both in Manila and in Acapulco, for nearly every citizen had a stake in its cargo, or relatives among its crew. Moreover, its failure to arrive caused a great scarcity of many commodities.

As time went on the government in Mexico became more and more troubled by the loss of so many ships and men in the return voyage from the Orient, and the miserable condition in which they arrived at the home port. It was realized that the best means of relieving this state of affairs was by discovering and occupying a safe harbor on the coast of Alta California, and establishing a way station there where the ships could stop for much needed repairs and fresh food and water. It was this circumstance which made the Manila galleon so important an influence in the settlement of California and which linked it to the far-away islands of the Philippines.

Drake and Cavendish

Nor was the need for refreshment and repairs the only reason for the determination to seek for a port on that coast. The sudden intrusion of the English privateers, Drake and Cavendish, in those western waters gave a rude shock to the Spanish feeling of security engendered by the great difficulty of access to them. News of the rich prize to be had for the taking in the Pacific soon spread around the world, and privateersmen, who were little better than licensed pirates, as well as genuine fliers of the black flag, began to brave the terrors of the passage through the stormy straits of Magellan in order to reach

the west coast and lie in wait for the returning galleon. Henceforth the Philippine ships were armed with small cannon, catapults for hurling stones, and muskets. Signals of the presence of pirates in the offing were prepared far up the coast, to give warning to the in-coming ships. In case they saw the dreaded signal, the vessels hastily put in at the first convenient port on the Nueva Galicia coast and there unloaded their cargoes.

In 1577 that magnificent pirate, or privateer, as one may prefer to regard him, Francis Drake, bearing a secret commission from Queen Elizabeth to "annoy the King of Spain in his Indies," set sail from Plymouth in England, forced his way with much difficulty through the Magellan passage, in the *Golden Hind,* and then swooped down upon the unsuspecting inhabitants of the west coast like a hawk among barnyard fowl. Boldly attacking the completely surprised galleons, he captured ship after ship, which he sent to run before the wind with all sails flying after taking off the treasure and crews. Now and then he stopped in the ports long enough to sack the towns, then was up and away before the terror-stricken people could collect their wits sufficiently to make any defence. He was a courtly robber, withal, and in all his operations on this coast never killed a man, but treated his prisoners like honored guests, even giving them money and clothing to supply their immediate wants when he gave them their liberty.

The *Golden Hind* being finally loaded almost to the sinking point with treasure—some say to the amount of 800,000 English pounds—and in imminent danger of capture, Drake decided to set sail for England. Fearing that Spanish ships would be lying in wait for him at the Strait of Magellan, as was indeed the case, he determined to try to find the passage through the Arctic, which was said to be the main purpose of his voyage, and make for

home by that route. Sailing north along the coast, on June 17, 1579, he fell in with a "convenient and fit harborough," in 38 degrees and 30 minutes, on the coast of Alta California. Into this good harbor he entered for the purpose of repairing his ship, and there remained until July 23, during which time the vessel was careened and a leak mended. The exact location of Drake's anchorage in California has long been a matter for controversy which has never been positively settled. Opinions vary between the bight under Point Reyes, now called Drake's Bay, for which many strong arguments have been advanced, and Bodega Bay, a few miles farther north. As to San Francisco Bay, up to the present date not the slightest evidence has been produced that Drake or his men laid eyes upon that noble sheet of water, even though the documents state that landing parties went ashore several times. This circumstance, regarded as inexplicable by some historians, is nevertheless readily explained by the simple probability that the shore parties happened to take, unfortunately for them, a direction that would not lead them in sight of this bay, nor was it in view from their anchorage. Books have been written only to prove that nobody knows with certainty the exact place of that anchorage, and the chances are very strong that nobody ever will know unless some document with new evidence on the subject shall be unearthed.

During Drake's entire stay on the California coast he kept up friendly relations with the Indians, exchanging gifts with them, and going through ceremonials which the Englishmen chose to regard as acceptance on the part of the natives of the sovereignty of England, but which doubtless merely corresponded to the usual performance of smoking the "pipe of peace." After completing the repairs on the ship, religious services were held, in which the documents solemnly assert the natives took part with

their responses, but which they probably looked upon as something similar to the incantations of their own "medicine men." This is notable as the first Protestant religious service ever held on the Pacific Coast of America, and it has been commemorated in our times by the erection of a stone cross, known as the "Prayer Book Cross," on an eminence commanding a view of the Golden Gate and the bay of San Francisco. At sunrise every Easter morning all the present Protestant congregations in the city gather at the foot of this cross to raise their songs of praise for the resurrection of Him whose worship was begun here so long ago by Francis Drake and his band of adventurers.

Before departing, the General set up a monument claiming title to the country for his Queen, by virtue of discovery, in the form of

> a plate of brasse, fast nailed to a great and firm poste, whereon is engraven her grace's name and the day and year of our arrivall there, and of the free giving up of the province and kingdome, both by the king and people, into her Majestie's hands; together with her highnesse picture and armes in a piece of sixpence currant English monie, shewing itself by a hole made of purpose through the plate; underneath was likewise engraven the name of our General.

Thus was the dark-skinned chief in his poor toggery of rabbit skins transformed by the vivid imagination of the chronicler into a princely personage, and his rude basket-work hat into a royal crown! There is other evidence that the accounts of the Drake voyage were written by some person in England, not a member of the expedition, who did not hesitate to embroider upon the original reports. This theory would account for the remarkable description of "snow-covered hills and nipping cold," "Indians shivering in their furs," in the San Francisco Bay region in June! Drake's own account has never ap-

peared, the probabilities being that it was suppressed, lest it should cause complications with Spain.

Having abandoned all hope of finding a passage through the northern parts, Drake now turned his back upon the green shores of California, to which he gave the name of New Albion, and bent his course directly to the Moluccas, thence continuing his famous voyage round the world. The actual discoveries made by him on the west coast of North America were of little importance, the chief result of his stay in California being the hastening of the occupation of that region by the Spaniards. Neither did he add much to the general knowledge of the Pacific, for in all his voyaging in that ocean he made use of charts of the Spanish navigators taken from captured ships.

Another English corsair—to use the term employed in the early chronicles—who ravaged the west coast in 1586, was Thomas Cavendish, very different in character from the suave and courtly Drake. Cavendish, a gentleman of reduced fortunes from the county of Suffolk, thought to recoup gaming losses by a voyage to the South Sea. He sailed up and down, robbing and burning ships, torturing and killing prisoners, and generally conducting himself like a true pirate. After doing as much mischief as possible, he set sail for England, where he entered port like a conquering hero, his sails lined with silk, his banners of cloth-of-gold, and his sailors dressed in fine damask, each with a golden chain round his neck. The depredations of Richard Hawkins; of the Hollander, Van Noort, as bloody a pirate as ever made his victims walk the plank; and the French-English organized company of buccaneers, whose savage cruelties made even the monkeys bitterly rue their coming to the isthmian coast—all of whom used the ports of Baja California as lurking places—made it ever increasingly clear that something

had to be done to protect the west coast and place some guard over the returning galleons.

Voyages of Gali and Cermenho

As early as 1584 the vice-regal government of Mexico was sufficiently awake to all these dangers to give orders to Francisco de Gali, commander of the galleon of that year, to sail along the California coast on his return from the Philippines and make observations. This he did, observing a "very fair land, wholly without snow, and with many rivers, bays, and havens." Although he did not land, his report served as a stimulus to further explorations on that coast, and ten years later Viceroy Luís de Velasco appointed the Portuguese navigator, Sebastián Rodríguez Cermenho, to explore and mark out all the parts of the entire course from the islands.

On July 5, 1595, Cermenho's ship, the *San Agustín,* sailed out of the port of Cavite in the Philippines, its decks crowded, as usual, with boxes of merchandise, chicken-coops, and barrels of ship's stores. On November 4, the shores of New Spain appeared, the first landfall of the *San Agustín* being probably a little north of Eureka, above 41 degrees. Entering the same bay in which Drake is generally supposed to have anchored just sixteen years before, Cermenho went ashore with a party of his men and took possession of the land and port in the name of the King of Spain. To the port he gave the name of San Francisco, by which it was baptized by Fray Francisco de la Concepción, a friar of the order of Saint Francis who came as chaplain of the ship. The fact that the present Drake's Bay was the place first known as "San Francisco" to the Spaniards, and that the name was not transferred to the great inland sea which now bears it until after 1769, caused a vast deal of confusion for many years among historians, especially since the original nar-

rative of Cermenho's voyage was not available until quite recent times.

In this port Cermenho met with disaster, for on November 30 the *San Agustín* was driven ashore by a squall of wind and completely wrecked, scattering the fine silks and porcelains in its cargo along the beach for the Indians to pick up, as the chronicler says, "like pearls before swine." Fortunately the crew had completed the building of a launch for shore use, and in this they were compelled to crowd themselves, seventy in all, with such poor provisions of acorns or the like as could be obtained from the Indians, and make their precarious way down the coast to the home port. The rather meager accounts of this voyage in the launch *San Buenaventura* prove it to have been one of the most remarkable for endurance and courage in the annals of the Pacific. On the way the commander, notwithstanding the uncomfortable conditions, made careful observations, noting and describing the entrance to Monterey Bay, thus gaining the right to be regarded as its real discoverer rather than Vizcaíno, to whom the credit has always been given. On January 7, 1596, the launch arrived at Navidad, with the crew in an almost dying condition.

Although this voyage was regarded by the contemporaries of Cermenho as a failure, and he was even threatened with lawsuit by the owners of the lost cargo of the *San Agustín,* yet his great effort was in reality not wasted, for he not only brought back a quite accurate description of the California coast, but the very fact of his disaster awakened the government to the folly of trying to make such an exploration with the heavy, unwieldy galleon, with the risk of losing its precious cargo. It became clear to every one that the only way was by using smaller ships, of such light draught as would permit their use for shore observations, and sailing directly from New

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Spain, loaded only with provisions. This plan was tried with complete success seven years later when Viceroy Velasco sent out another expedition under command of Sebastián Vizcaíno, a merchant trader who had had much experience on the galleon route.

Vizcaíno at Monterey

Sailing under the protection of Our Lady of Carmen, the little fleet of three vessels passed out of the harbor of Acapulco on the 5th of May, 1602. Proceeding up the coast, they stopped at many of the points visited by Cabrillo and re-named them, despite the orders of the king to retain names previously given. It is to the Vizcaíno expedition that we owe many of the coast place names most familiar to us—San Diego, Santa Catalina, Santa Barbara, Point Conception, Monterey, Carmel. The entrance into Monterey Bay and the act of taking possession was the principal event of Vizcaíno's voyage. Under a live oak tree which stood so close to the shore that its branches were wet by the in-coming tides,—

> The mass of the Holy Ghost was held so that God might give light to the general and those of his council, in order that they might decide what would be most conducive to the service of the Lord and of his Majesty.

When Vizcaíno sailed into this beautiful blue bay on December 16, 1602, and looked about him at the ring of hills, dark with the dense growth of pines covering them from base to summit, he became so enamored of the place that he wrote almost too enthusiastically to his Majesty concerning it. This over-praise of the harbor as defended from all winds misled the Spaniards at a later date, and was probably the cause of their failure to find it again in 1769, as we shall see. Continuing the voyage to the north, they came to and named La Punta de los Santos Reyes, as it is still called, and went on till

they passed Cape Mendocino, when it was decided, on account of the miserable condition of the crew from scurvy, to turn about and make for Acapulco.

On the way down, despite their great need for refreshment, they were unable to land, for the number of able-bodied men was now so reduced that they dared not let go the anchor lest they should not be able to raise it again! The people were now dying apace, an involuntary starvation helping to carry them off, for on account of their sore mouths and loss of all their teeth they could not eat the coarse food which was all they had on board. It was only by the most heroic exertions that Father Ascensión forced himself to minister to the sick and dying. At Cedros Island, although most of the people were now only able to crawl on hands and knees, by a supreme effort they managed to take on wood and water.

According to differing reports, from forty-two to forty-eight men, fully half the crew, died on this voyage, which lasted eleven months; but otherwise it was a distinct success. A detailed exploration of the coast as far as Monterey was made, the northern limit desired by the viceroy was reached, and at least two fine ports, San Diego and Monterey, were found and examined. In all the annals of the Pacific, so full of deeds of heroism, there is no more heroic story than that of the voyage of Vizcaíno to California. The soil of this shore was consecrated by the sacrifice of these brave men, who laid down their lives to bring to it the light of civilization.

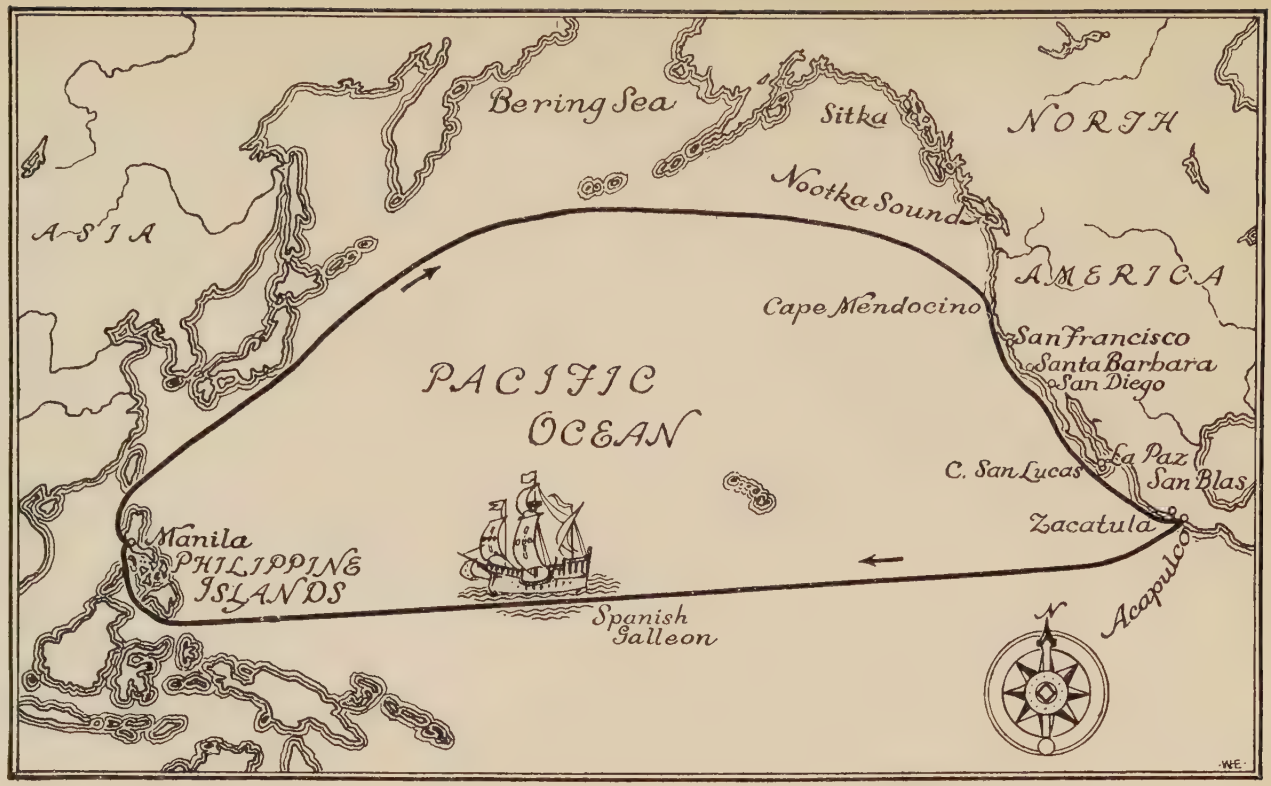
It was unfortunate that a change of viceroys occurred at this time, for the new incumbent, Montesclaros, was lukewarm toward the project of colonizing California. For more than a century and a half there was no addition to the knowledge afforded by Vizcaíno's voyage, and no ship is known to have entered the northern waters from the south, while the Manila ships from the far west

neither touched at the new ports nor left any record of what they saw as they passed. The galleons, fearing the loss of their rich cargoes of silks, spices, and porcelains from the Orient by too near an approach to an unknown coast, continued to turn southward as soon as they sighted the floating seaweed indicating land and made their weary way homeward, their decks resounding with the cries of the sufferers, who might have been relieved had the California way stations been established.

Rumors of Russian Invasion

During the long period of lethargy which followed the voyage of Vizcaíno precisely the same motives existed for the occupation of Alta California as before that time; but nothing seemed sufficient to arouse the Spaniards from their apathy, until their ancient fear of Russian encroachment from the north, the bugaboo which had troubled them for so many years, took on a more acute phase. Upon every wind that blew down from the frozen Arctic they seemed to hear the growl of the Russian bear. The voyages of Bering and Chirikof to the northwest coast of America in 1741, from which arose the Russian fur trade and the establishment of settlements in Alaska, frightened the government of Mexico into taking active steps for the occupation of the coast north of the peninsula. These voyages were, in fact, the direct cause of the great awakening of the Spaniards from their deep dream of peace and security in their possessions bordering on the Pacific.

In the years immediately preceding 1769 reports were received by the Spanish officials that the Russians were planning to found settlements on the North American coast, or had already done so, and the Marquis de Croix, thinking that they might occupy Monterey, directed José de Gálvez to make an expedition by sea toward the threatened port. Thus it was that Bering Strait, thought



MAP SHOWING ROUTE OF MANILA GALLEONS

by scientists to be the route by which the ancestors of our aboriginals crossed from Asia into America, again had its part in the making of history on this continent.

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Chapter V

JUNÍPERO SERRA, TORCH BEARER

AFTER more than a hundred and fifty years of inaction following Vizcaíno's return with a glowing account of the country to the north, Spain tardily realized the necessity of taking some positive steps for the defence of its possessions in the Pacific against foreign encroachment. The close of the Seven Years' War had given Canada to the English, who threatened invasion from that quarter and from the Ohio Valley. Now that they had taken the colonies of France, it was feared they would not rest until they pushed their conquests westward to the ocean. It was known that the Dutch had been industriously acquiring information about the Spanish ports, especially those of the California coasts. In the north the danger seemed even more menacing since the Russians had crossed Bering Sea and established themselves in Alaska, for their otter-hunting ships were extending their cruises farther and farther southward toward Oregon. Information had been received in the latter part of 1767 from the Spanish minister to Russia that the empress was contemplating new expeditions to establish communications between eastern Siberia and the Pacific Coasts of the Americas. In January, 1768, the Spanish Minister of State wrote to the viceroy about rumors of Russian activities, urging, in the name of the king, that all steps possible should be taken to frustrate these attempts.

José de Gálvez

All these alarms, however, might have passed off in mere discussion, just as for two centuries previously, had

it not been for the presence on the scene of the "man of the hour," José de Gálvez, one of the ablest representatives ever sent by Spain to America. Gálvez was what is known in our day as a "self-made man," having risen from very obscure beginnings to a position of the highest importance. In the story of California he is an outstanding figure, and, although he never set foot on its soil, he may justly be called the first of its pioneers. When the government of Spain determined, in 1765, to send a special official to Mexico to inquire into its financial affairs and institute reforms for the purpose of increasing its revenues, the choice of a person to fill this office fell upon the one-time poor shepherd boy, José de Gálvez.

The *visitador-general,* as the new official was entitled, was fortunate in being associated with an able and energetic viceroy—the French-descended Marqués de Croix, and also in being given such powers over all the officialdom of Mexico as enabled him to cut quickly the red tape which usually caused endless delay in Spanish affairs. As soon as the *visitador* was informed of the threatened advance of the Russians, he immediately decided, of his own volition, upon sending an expedition to carry out an old plan of the Spaniards—the occupation and settlement of the ports of San Diego and Monterey in Alta California.

The expedition, as planned by Gálvez, was to be fourfold—two divisions to go by sea and two by land—so that if one should fail the other might succeed. The four divisions were to meet at San Diego and thence press on to Monterey. As was the invariable custom of the Spaniards in their colonizing projects, the cross was to march side by side with the sword, and each division was to be accompanied by its complement of friars. The religious part of the new expedition was entrusted to the order of Franciscans, who had just yielded the control of

Baja California to the Dominicans. This trust was joyfully accepted by the Franciscans, who had long nursed a dream of one day going to that beautiful and populous land in the north of which passing seamen had brought alluring reports. In fact, so happy were the missionaries of this order over this arrangement that when the news came that it had been finally settled that they were to turn over the peninsula to the Dominicans and move on themselves to Alta California, they celebrated the realization of their hopes with the ringing of bells and a thanksgiving mass. Ever since Cabrillo and Vizcaíno had reported the existence of a large population of docile and friendly natives in California, an ardent desire to win these people to Christ had burned in the hearts of the Franciscan friars; but it cannot be said that this motive had much influence with the government, which was moved chiefly by the fear of foreign encroachment, particularly of the Russians. This was in fact the only motive that had any new or unusual weight at that time, and was the direct cause of the hastening of Spanish occupation of California.

Serra and Portolá

Nevertheless the government was astute enough to realize the value of missionary aid in subduing wild peoples to its rule with a minimum of expense and bloodshed. Therefore great care was taken to select just the right man to bear the torch of civilization into the new land; and never did Spain use better judgment than when it chose Fray Junípero Serra for the purpose. The choice of Gaspar de Portolá to lead the military branch of the expedition was equally wise. Happy California, to have, instead of a Cortés or a Pizarro, Serra the idealist and Portolá the dutiful and humane soldier as its first colonizers!

Junípero Serra was a native of the island of Majorca in Spain, who came to America with a party of missionaries in 1749. He gave up a high position and a brilliant future to come to labor in the vineyard of the Lord among the savages of the New World. Before being called to take the presidency of the missions of the peninsula, and afterwards of those of Alta California, he served for nine years in the Sierra Gorda [1] and in other duties, but his greatest fame was won in the missions of the north. Even in the inception and carrying out of the grand plan for the occupation of California, Serra was the right hand of Gálvez; to his burning zeal obstacles were mere feathers, to be brushed aside without notice. One of the worst of these obstacles was his own frail health, aggravated by a lame leg, from which he suffered nearly all his life. When he set out on this expedition he was so weak that it was necessary for two men to lift him into the saddle of his mule, but when his friend, Fray Francisco Palou, discouraged by the sight, bade him an eternal farewell he gently rebuked him, and insisted that with the aid of God he would reach Monterey and there raise the cross.

Don Gaspar de Portolá was a native of Catalonia in Spain, of noble family, who had served in many European campaigns as captain of dragoons. He was sent to Baja California as its first governor at the time of the expulsion of the Jesuits,[2] and volunteered to lead the expedition into the unknown land of the north. No braver or better soldier ever served Spain in its American colonies.

[1] The Sierra Gorda is a range of mountains in eastern Mexico between the present states of Tamaulípas and Querétaro. It was the home of the Pame Indians, among whom Serra labored for nine years.

[2] By order of the King of Spain, Carlos III, the friars of the Jesuit order were expelled from all the provinces of New Spain, including the peninsula of Baja California, in 1767.

First Colonizing Expedition

Besides the occupation of the ports of San Diego and Monterey, it was planned to establish five missions in Alta California, and the *visitador* and the father-president plunged into the work of preparation with the greatest ardor, trying to outdo each other in a friendly rivalry in packing with their own hands the church ornaments and sacred vessels. Knowing that they were going to a fertile land, Serra took care to include in the cargo seeds of flowers and vegetables of both the Old World and the New. This was the very origin of the agricultural industries of California which have since grown to enormous proportions. It was the sight of oranges, figs, grapes, olives, dates, and other semi-tropical fruits growing luxuriantly in the mission gardens that suggested the planting of the great orchards for which the state is now famous. It was also arranged that the land expedition should take a herd of two hundred cattle from the northernmost mission of the peninsula. This band was the nucleus of the countless herds which in time roamed over the hills and valleys of Alta California and became the chief source of wealth in the pastoral days of Spanish occupation.

The peninsula missions were called upon to contribute all the horses, mules, dried meat, grain, flour, cornmeal, and biscuit that could be spared, besides the two hundred head of cattle and church furniture and vestments. By this act the peninsula is entitled to be considered the "mother" of California, for it provided the first nourishment.

There were but two small vessels available for the sea expedition, the packet-boats *San Carlos* and *San Antonio,* commanded by Captain Vincente Vila and Captain Juan Pérez, both experienced seamen of the royal navy. The

From Pictorial History of California

FATHER JUNIPERO SERRA

name of Pérez is an important one in the annals of California, for he was the chief maritime figure there for some years, doing excellent work in coast explorations. A proclamation was issued by the *visitador* naming Saint Joseph as the patron saint of the adventure, for as well would they have gone without sails as without the holy protector.

So the work went eagerly forward, and on January 9, 1769, the *San Carlos* was ready. She had now added to the complement of her crew twenty-five Catalan volunteers, under Lieutenant Pedro Fages, who went to overcome any resistance that might be made by the natives to prevent their landing. Fages afterwards became one of the most noted of the Spanish governors of Alta California. After a solemn mass and an earnest address by Señor Gálvez in which he exhorted all members of the party to do their duty in the glorious mission on which they were embarking, the start was made, and with its sails swelling in a good wind, the little ship doubled the cape and was fairly off on the great adventure. The *San Antonio* was not ready until February 15, when, after another exhortation from Gálvez and a last shout of "buen viaje" from those ashore, she also shook out her sails and was up and away for California!

Meanwhile active preparations were under way in the north of the peninsula for the two land expeditions. By the latter part of March Captain Rivera y Moncada, in command of the first division, his force strengthened by twenty-five leather-jacket soldiers from Loreto, was ready for the start at Santa María on the northern border. This division was accompanied by Fray Juan Crespi, an intimate friend and associate of Serra, who had come to America on the same ship with him. Crespi's name is prominent in the story of California, for he was the one friar who accompanied Portolá all the way from Santa

María to San Francisco, and who left a diary of the entire march. Missionary, pathfinder, and recorder, he must be given a high place in the early annals of the state. On March 22, 1769, Rivera's army, small in numbers but extremely well fitted for the purpose, being made up as it was of hardy veterans seasoned in frontier life, began its migration into the unknown land of the heathen.

The division under Governor Portolá, which was to be accompanied by the father-president of the missions, was to start last of all. All preliminary orders having been finally carried out, the second land party, with Portolá, bronzed and bearded, riding at its head, set out on the famous march to San Diego on May 15, 1769.

Let us now turn to San Diego and inquire how it had fared with the two sea expeditions which had gone in advance. Contrary to expectations, the *San Antonio,* which started a month later than the *San Carlos,* was the first to arrive, on April 11, when the ship stole silently into port, to the terror of the natives, who at first mistook it for a great whale. On April 29, to the intense joy of those on the *San Antonio,* the long-delayed sister ship was seen to come in and drop anchor. Surprised at not seeing any boat lowered from her, Captain Pérez became apprehensive that all was not well. A visit in one of the *San Antonio's* boats revealed a frightful state of affairs on the flag-ship. The long voyage—one hundred and ten days from the cape—had caused such ravages from scurvy that there were no men left able to lower a boat.

The sick were immediately removed to land by the *San Antonio's* men and tents made of sails to shelter them. Pedro Prat, a graduate of the University of Barcelona, Spain, who came on the *San Carlos* as surgeon, scoured the shore in search of green herbs with which to heal them. To add to the trouble, Pérez's men were now

attacked by the disease, and death began to take heavy toll from the pest house on the beach, until at last less than a third of the soldiers, sailors, and mechanics were left alive. The situation was now such that all thought of continuing the voyage to Monterey was abandoned. Every moment and every man were occupied in caring for the sick and burying the dead. Those who died were buried at *La Punta de los Muertos* (Dead Men's Point), which received its lugubrious name from this sad circumstance. It is thought that the vessels were anchored off what is now called New Town, between the two wharves and Dead Men's Point.

Settlement of San Diego

On May 14 the gloom was much lightened by the appearance of Captain Rivera with his band of leather-jackets, muleteers, and Christianized natives from Baja California. The first thing that Rivera did was to move the camp nearer the river, for better convenience of water supply, at the foot of a hill in what is now known as Old Town, where the remains of the old presidio may still be seen. A stockade was built around the camp and cannon were mounted, constituting California's first military fortification. A few rude huts were built and the sick moved into them, and for the next six weeks the whole time of officers, priests, and soldiers was taken up in caring for them and unloading the *San Antonio,* while they awaited the arrival of the governor with the last division.

On the twenty-ninth of June the camp was thrown into wild joy by the sound of musket shots announcing the approach of the governor, who, because he was not burdened by so many cattle, had had an easier trip than the first division, and arrived with his whole party in good health. A consultation was now held between the com-

manders by sea and land in which it was decided that the loss of so many sailors made a change in the plans necessary. The decision was reached to send the *San Antonio* back to the peninsula for supplies, and then, leaving the friars with a guard of soldiers in care of the sick at San Diego, to press on to Monterey with the main force under Portolá.

The outlook was dark for the new colonists, with so many dead and dying, the remainder weak from hunger and scurvy, no relief in sight, far away from their loved homes. But Portolá, the true soldier, hesitated not a moment but set to work at once to prepare for the advance to Monterey. Serra, remembering the thousands of natives living in the darkness of heathenism, declared that if necessary he would remain alone to carry on his labors among them. "What I have desired least," he wrote to Palou, "is food. Our needs are many, it is true; but if we have health, a tortilla, and some vegetables, what more do we want? If I see that along with the food hope vanishes I shall remain with Father Juan Crespi and hold out with the last breath."

> Leaving the sick under a hut of poles which I had erected, I gathered the small portion of food which had not been spoiled in the ships and went on by land with that small company of persons, or rather say skeletons, who had been spared by scurvy, hunger, and thirst.

So wrote Portolá to a friend in telling of the expedition to Monterey which left San Diego on July 14, 1769, with a force of sixty-four all told. This command included some of the best known names in California history—Ortega, Amador, Alvarado, Carrillo, Yorba, Soberanes, and others.

These troops, with their leather jackets,[3] bull-hide shields worn on the left arms, with lances and broad-

[3] The leather jackets, made of seven thicknesses of deer skin stitched together, were worn as a protection against the arrows of the Indians.

swords as offensive weapons, as well as the more modern short musket, strangely resembled crusaders of the Middle Ages. At their head rode the commander, while Rivera brought up the rear with the extra mules and horses and their guard. Short marches were the rule, with frequent stops to rest the men and animals. The route followed was practically the same as that now taken by the railroads which run lengthwise of the State, and it may still be traced by place names given by this expedition—Santa Margarita, Santa Ana, Carpintería, Gaviota, Cañada de los Osos, Pájaro, San Lorenzo, Palo Alto, and others.

Mysterious Failure to Find Monterey

Everywhere they found the Indians friendly, and were able to get more food from them than they could eat. Pressing on until they reached the Salinas River, they traveled down it to the sea, and in six days came to the shore of Monterey Bay. Now comes the strangest circumstance connected with this expedition. Standing upon a high hill, the party saw a great open *ensenada* (gulf) spread out before their eager eyes, but, although it seemed to be in the latitude of Monterey, it did not agree with the descriptions given by early navigators, least of all that of Vizcaíno as "a fine harbor sheltered from all winds," for the bay of Monterey, though beautiful beyond compare, cannot in justice be called a well protected port. Mystified, the little company gazed long from the hill upon which they stood over the sparkling expanse of dark blue water which lay before them. Here and there whales spouted, porpoises leaped and splashed in clumsy play, and the white sand of the long curving beach glistened like snow in the bright rays of the sun. It was a scene of enchantment, but where was the landlocked harbor for which Vizcaíno's enthusiastic description had prepared them? Through the wide open mouth the

great swell from the ocean rolled in without obstruction, and there was no safety from winds except in the small hook of the horseshoe where the town of Monterey now stands. So the mystery of their failure to recognize the bay, which has puzzled many historians and caused Palou to ascribe it to a miracle worked by Saint Francis in order to lead them to his own port farther north, is explained. Sergeant José Francisco de Ortega, an important member of the party, writes in his journal on this point:

> On October 5 and 6 we reached Point Pinos, and, according to the descriptions of Captain Vizcaíno and the pilot Cabrera Bueno —and our latitude as well—we should have thought ourselves already at Monterey; but not finding the shelter and protection ascribed by them to the port caused us to doubt, since we saw a gulf over twelve leagues across, with no shelter except for small craft at the point, although the said gulf is large enough to hold thousands of vessels, but with little protection from some winds.

Therefore, after holding a solemn mass and consultation of officers at their camp at the mouth of the Salinas River, it was concluded that they had not yet reached the desired port of Monterey, and that the only hope of finding it was by continuing the journey to the north. After a rest of some days the party pushed on up the coast, with eleven of the men now so ill that they had to be carried in litters swung between mules. Near Soquel they had their first sight of the since famous "big trees," which Portolá named *Palo Colorado* (redwood), because of the color of the wood. Near the present site of Stanford University they remarked a giant tree of this species which they called *Palo Alto* (high tree), the name still retained by the town adjoining the university.

Discovery of San Francisco Bay

Weak as they were, the road had to be cleared in many parts, for they were passing through country never

before trodden except by the Indian, and rude bridges had to be built across *arroyos* to permit the animals to pass. In spite of all these hardships, on October 11 the weary travelers found themselves on the summit of Point San Pedro, from which a magnificent panorama lay spread out before them. The Farallones and the white cliffs of the opposite shore at the mouth of Drake's Bay were plainly visible. There was no mistaking the descriptions laid down so clearly by Cabrera Bueno,[4] and the astonished wanderers were forced to the conclusion that the much-desired bay of Monterey had been left far behind them, and that they had arrived within sight of the bay named San Francisco so long before by Cermenho. To make sure the commander sent Sergeant Ortega with a few men on November 1 to explore in the direction of Point Reyes. A hunting party which was sent out the next day to look for deer came back in great excitement to report the discovery of a "great arm of the sea, extending to the southeast farther than the eye could reach"; but it is believed that Ortega saw it, and probably the Golden Gate, first, and so to him must be given the glory of first resting eyes upon the now far-famed bay of San Francisco and its entrance. Nevertheless, just as to Columbus goes the honor of the discovery of America, although a sailor in the fleet first saw land, so to Portolá, as commander of this expedition, must be given the chief credit of being the discoverer of San Francisco Bay.

After a good rest and a liberal feast of mussels and the wild ducks and geese which abounded in countless multitudes in that region, it was decided to return to Point Pinos by the same route by which they had come. Reaching Carmel Bay, and finding themselves still mystified, they set up a cross on the shore, with a letter buried

[4] Cabrera Bueno was a pilot in the service of the Manila galleon, and in that capacity made several voyages to the California coast.

at the foot, so that if any of the packets should arrive in this vicinity they could get news of the expedition. They then crossed the Point Cypress peninsula, and on the very shore of the bay they thought they could not find, probably on the edge of the little lagoon near the site of the present parish church in Monterey, "where the sand dunes and a lagoon are," they set up another large cross, and on its arm they carved with a knife these words: *"The land expedition is returning to San Diego for lack of provisions, to-day, December* 9, 1769," so that if any bark should touch there it might serve to guide them.

Retracing their route to San Diego by way of the Salinas River, they soon found themselves in dire distress for food. It was now mule or nothing! Moreover, winter was coming on and snow was falling in the Santa Lucía Mountains, which they had to cross. Says Portolá, "We shut our eyes and fell to on that scaly mule (what misery) like hungry lions. We ate twelve in as many days, obtaining from them perforce all our sustenance, all our appetite, all our delectation." On approaching San Luís Obispo they obtained plenty of fish from the Indians, and so at last, "smelling frightfully of mules," they drew near, on January 24, to the palisade of the camp at San Diego. It was with deep forebodings that they approached it, for they knew not whether any of their friends left behind were still alive, or whether they would find the camp a mere charnel house. Their fears were soon dispelled, for at the firing of their muskets those still living rushed out and all were soon exchanging embraces and experiences.

During the absence of Portolá things had gone badly in the camp, and many more had died of scurvy. Little had been accomplished, but the mission, the first in Alta California, had been founded, July 16, 1769, under the

title of San Diego de Alcalá. Much trouble had been experienced with the Indians, who soon lost their awe of the white men and began to steal everything they could lay hands on, even dragging the sheets from under the sick. One sharp encounter had taken place in which a boy belonging to the party had been killed and several men wounded by arrows, the attacking Indians losing three. Death continued its ravages, and provisions grew alarmingly short. Portolá became greatly disheartened, and rather than expose his men to death or extreme suffering from starvation he came to the reluctant decision to abandon the enterprise and return to the peninsula in case no relief ship should arrive by the middle of March. Many writers have expressed surprise that men should starve in a country like California; but certain circumstances may explain the apparent anomaly. Little could be obtained from the Indians, who raised nothing but lived precariously on the natural products of the country. As for wild game, ammunition was too precious for defence against possible attack by the natives to be spared for such purposes. Around San Francisco Bay wild geese were said to be so abundant and so tame that they could be knocked down with a stick, but this was by no means the case everywhere.

The decision to depart was an arrow in the heart of Serra, for he knew that if the party were withdrawn now it would probably be years before another attempt would be made. The rest of the company clamored for departure, and the whole camp settled down to wait for the 20th of March, the day set. Day after day the missionaries knelt and sent up their supplications for the coming of the supply ship; a nine days' prayer to San José, patron saint of the expedition, was begun. Day after day they turned their anxious gaze seaward, but no glimpse of white sails came to gladden them. Slowly the

time wore away until the afternoon of the last day of grace, the 19th, and the dusk of twilight began to obscure the horizon. Even the unconquerable Serra was about to yield to despair, when suddenly a loud cry of "The ship! The ship!" rang through the camp. For a brief moment the sail was dimly seen, then it disappeared, but all knew that California was saved. They knew that the ship had merely run on to the north for a short distance, probably through a mistake in reckoning, and that she would soon be back—as was indeed the case. In four days the *San Antonio,* blessed vision, sailed into the harbor and dropped anchor.

The half-moribund camp quickened into new life. Serra's heart overflowed with thankfulness, and there was feasting among the hungry pilgrims. Portolá immediately started preparations for a new expedition to find Monterey, this time by sea and by land. Sending the *San Antonio* ahead, he led a land party over the same route as before, and finally reached the spot where they had set up the second cross, on the shore of Monterey Bay, the previous winter. They found the cross still standing, but now surrounded with a circle of feathered arrows thrust in the ground and sticks to which were hung fresh sardines. This they accepted as an offering of friendship and reverence on the part of the Indians.

Monterey Found at Last

They now had no difficulty in recognizing the bay of Monterey, which they remarked was as calm as a lake, with innumerable seals barking and swimming about, while two large whales sported within twenty feet of the shore. Portolá, Crespi, and Fages, as they walked on the beach, observing that the great bay resembled a round lake like an O, cried out with one voice, "This is the port

of Monterey for which we are looking, for it is exactly as described by Vizcaíno and Cabrera Bueno."

The *San Antonio* arrived a week later, and on June 3, 1770, under the very same liveoak tree under which the Vizcaíno expedition held services in 1602, a solemn mass was held, amid the pealing of bells and salvos of artillery. Here was founded the second mission in Alta California, dedicated to San Carlos Borreméo; but for the sake of better convenience in obtaining wood and water the mission was soon removed to the delightful little bay of Carmel, four miles or more from the present town of Monterey. Peace now settled upon the restless soul of Junípero Serra. He was at last at home—a home that he never left again except for necessary visits to the other missions and one journey to Mexico. From Carmel he wrote to his friend Palou, "If you will come I shall be content to live and die in this spot."

In pursuance of the political purposes which were the chief aim of the government in this expedition, the second presidio was established, on an eminence overlooking the bay. This site is now occupied by the United States as a military station, and it still bears the title of the Presidio of Monterey. The missions were, nevertheless, the most powerful agent in the civil development of the country, and their history is therefore practically that of the province during the Spanish period.

As soon as the beginning was made at Monterey Portolá turned the government over to Pedro Fages as military commander, and sailed away on the *San Antonio* on July 9, after which California knew him no more. In its history he must always be a prominent figure, as the first of its governors, the leader of the first expedition over the long trail of a thousand miles from Velicatá in the peninsula, and the discoverer of San Francisco Bay.

The occupation of California was now accomplished; the menace of Russian encroachment was checked; the harvest of heathen souls lay ready for the sickle of the Christian faith.

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Chapter VI

THE INDIANS

THE missionaries being now on the scene ready to begin their great task, it is opportune to inquire into the character and condition of the heathen people whose souls they came to save. Between the land itself, so rich in natural products and so attractive in its physical aspects, and its human inhabitants there was an abysmal contrast. Even allowing for the unjust exaggerations of many ill-informed writers, it cannot be denied that the aboriginals of California stood lower in the scale of humanity—physically, morally, and mentally—than any of the other tribes of North America. Yet it is not true that they were wholly wanting in intelligence, and that they had many virtues is proved by the comments of the Spanish discoverers.

Physical and Mental Characteristics

"The Californians were shorter and smaller skulled than the Indians of the eastern shore of the continent," to quote the words of Alfred L. Kroeber, "but were superior in these respects to the Aztecs and the Mayas. They had not the copper complexion, the aquiline features, nor the proud bearing usually associated with the American Indian, but were flat-nosed and broad-faced, with an apathetic carriage." Yet they were strong, sturdy, and long-lived, and there were many individual instances of good looks among them. General Mariano Vallejo described Chief Solano of the Suisunes, for whom Solano County is named, as a fine figure of a man, six feet, seven inches in height and broad in proportion. It

is said there were many tall, fine-looking men, splendid specimens of humanity, among the mountaineers.

That they were by no means dull brained is shown by the surprising facility with which they acquired various branches of knowledge, notably the Spanish language, which they soon learned to speak clearly and correctly. The catechumens were taught to read music and to sing agreeably, and in the church chorals they learned to intone the Latin with astonishing accuracy. In view of the fact that in their primitive state they were absolutely without education in our sense, these accomplishments, acquired in the very few years that they were under mission instruction, seem remarkable. Their ability to acquire mechanical arts finds a silent but impressive witness in the remains of the church buildings, erected almost entirely by Indian workmen under the direction of the friars. In the industrial schools of the missions they became in a short time fairly skillful carpenters, weavers, farmers, etc., and there were no better cattle herders in the world, notwithstanding that they had never seen a horse or a cow before the coming of the Spaniards. One almost feels that there is reason to feel amazed at their capacity, rather than shocked at their lack of it.

Native Arts and Dwellings

Of native arts they had very few. Basket making, in which they excelled most other native races, was their chief industry, and it was entirely in the hands of the women. Very handsome and well constructed canoes were built by some of the coast Indians, with no better tools than crude knives of elk horn or mussel shell. Household utensils were limited to baskets, stone mortars for grinding seeds, horn and shell knives and spoons, nets of vegetable fiber for fishing and carrying small objects,

rush mats for beds. The women were expert skin dressers.

Their houses were of the simplest construction, varying in accordance with the climate. In the north they were partly excavated, with sides and roof of heavy slabs of wood laboriously split from trees with rude wedges of horn. These houses, half above and half below ground, kept the Indian snug and warm in cold weather, but the fetid atmosphere of their interiors would have been unendurable to a white man. Along the Santa Barbara Channel very neat huts of the half-orange shape, built of poles drawn together and tied at the top, then thatched with grass or covered with earth, fulfilled the requirements of a milder climate. Cave dwelling seems to have been practiced to some extent by the Sierran tribes, and in some of the warmer parts of the state the natives were satisfied with a mere shelter of brush piled up on the windy side. Whatever the style of their habitations, in one respect they were all alike—the filthy state in which they were kept. When the collection of bones and other food refuse thrown on the floor became too offensive, and the fleas and other vermin too numerous even for the Indians, they merely set fire to the house and built a new one in another spot.

Food and Clothing

The food of the primitive Californians was more largely vegetable than animal, but roots formed only a small part of it, and the epithet of "digger" does not properly belong to them. The name was brought by the first American arrivals from the Great Basin, where there was some reason for its use, and was applied to the Indians of California simply to show the contempt of the newcomers for them.

The principal food staple, corresponding to the maize of the Southwest, was the acorn. Carefully gathered in season and stored in raised cribs, the acorns formed, together with dried salmon, about the only provision made by these natives for winter. The green leaves of many plants were boiled and eaten, and certain roots, otherwise poisonous, were made fit for food by long roasting under ground. There was no intoxicating drink, but a mild form of inebriation was sometimes produced by prolonged smoking of wild tobacco. The women worked very hard in preparing these vegetable products—in drying, grinding, leaching, cooking—and "the first sound to be heard on approaching an Indian village was the everlasting pounding of the pestles in the mortars."

The Indians ate the flesh of animals when they could get it, which was not always possible with their poor weapons. Perhaps the most common way to catch a deer was to run him down in relays until he fell from exhaustion. Pits and traps were used to catch larger game, except the grizzly bear, which they held in such fear and respect that they let him alone, believing him to be possessed of a demon. Their tastes were not fastidious, and they did not disdain to eat snails, caterpillars, minnows, crickets, grubs found in decayed trees, frogs, slugs, horned toads, lizards, snakes, earthworms for soup, grasshoppers roasted and powdered, and even skunks, when killed and dressed with due caution. Fish, especially salmon, formed an important part of their living. The coast Indians were excellent fishermen, and the "salmon waters," as the rivers where these fish spawned were called, were occasion for many bloody wars among the different groups.

The food, whether animal or vegetable, was all voluntarily provided by kind Mother Nature, for the natives of California followed no form of agriculture, except

sometimes the scattering of seeds of wild tobacco around their houses.

As far as the male part of the community was concerned, their dress was also that given by Nature, for the men went entirely naked, wearing not even a breech-clout. It was only in the coldest weather that they sometimes put on rabbit or deerskin cloaks, or, what was still simpler, rolled in the mud on cold mornings and washed it off when the sun came out. The women wore a pretence of a skirt made of tule grass, reaching from the waist to the knees, and in cold weather a cape of rabbit skins. However, they were quite fond of ornamentation, and painted their faces and bodies in various grotesque patterns. For ceremonial occasions they had elaborate headdresses of feathers and beads, similar to those of Indians in other parts of the country, and in some places they wore basket hats.

Weapons

Their weapons were few and poor—small-sized bows and arrows, and flint-tipped lances. In fights with each other they sometimes used ragged stones with deadly effect. In hunting large game they made up somewhat for their lack of efficient weapons by strategy, being wonderfully skilled in stalking the game in a disguise made of the head and upper part of the skin of some animal. They also understood the use of decoys for birds, for which they employed stuffed specimens of the same species.

Occupations

The women did most of the drudgery, while the men, when they were not engaged in hunting and fishing, passed their time in amusement, roaming from house to house, from village to village, dancing and sleeping. In this respect they were very different from the taciturn Indian of Fenimore Cooper tradition, for they were a merry,

joyous race, no doubt the happiest of all the American aboriginals. Far from resenting the coming of the white men, they gave them a hilarious welcome, and the chief complaint of the Spaniards was that the singing and dancing was so continuous, day and night, that they had little opportunity for sleep.

Amusements

The dance, to which they were inordinately addicted, was practiced not only for amusement, but in a thousand and one ceremonials with which these simple savages celebrated every important event, public or private. There was the salmon dance; that for the new-born child; for the black bear and for the new clover; the dance of welcome to visiting tribes; the dance of peace; for the white deer and the elk; and of course the war dances, when the braves were all painted gorgeously and dressed out in their finery of plumes and beads. They even had a ceremonial dance in the autumn which bears a strange resemblance to the Thanksgiving feast of the Puritans of New England. At this time they held rejoicings over the bounties of the year—the fat elk they had killed, the oily eels caught in traps, otter and seal skins tanned, fish caught and dried; acorns, nuts, and berries stored for winter; canoes launched; huts built; victories won, in which defeats were duly glossed over. All of these benefits were recounted by some old man in a long oration, to which the people listened in solemn silence; after which they did not proceed to gorge themselves with a great feast in our fashion, but ate abstemiously of their customary food and then joined in the thanksgiving dance.

Social Customs

In the latter part of the summer the dance for the dead —again suggestive of our Memorial Day—was held,

near the graves, where a large fire was built into which various articles—clothing, baskets, etc.—were thrown as offerings to the departed. They then danced in a circle around the fire, accompanied by the hoarse rattle of the death chant, terrible to a civilized ear. Mourning was practiced for the dead, among some of the Sierran tribes taking the highly unpleasant form of smearing the face with a paste made of the ashes of the deceased person and allowing it to remain on until it wore off, which often was not for a year. Funeral customs varied; some buried their dead and others practiced cremation, each group regarding with abhorrence the custom of the others.

Despite their frequent bathing—for the Californian, male or female, never omitted the daily cold plunge in the nearest stream—in personal habits they were decidedly filthy. In morals they were unrestrained, but to no greater extent than was the case all over North America. Wives were acquired by purchase, for so many strings of shell money or so many deerskins, and a man was considered forever disgraced if he secured his wife for nothing. Polygamy was practiced among most of the tribes by those who could afford the purchase price of more than one wife. Wealth, represented by shell money, deerskins, etc., was highly considered, and the richest man occupied the position of chief of his group. Yet they were inveterate gamblers, and in their games of chance would risk their last possession, even to their wives. In athletics they were proficient—in football, leaping, jumping, and similar contests; and they were true sportsmen, for they accepted defeat with the same laughing good nature as victory.

As to laws and organizations, they did not exist. There was no division into tribes, strictly speaking, and the unit was the village. Each town had a sort of chief, or leader, but his authority was limited to giving advice;

otherwise he had no control over the people. Each family was a law unto itself, and there was no punishment for crime, not even murder, the injured party having to avenge himself as best he could. The most serious offences, including murder, could be compounded for money. It was very common for a murderer to buy himself off by paying the family of the deceased a certain sum in skins or shells, after which perfect friendship existed between him and the aggrieved persons.

The natives of California were not in the usual sense of the term nomadic, for boundaries were rigidly defined, and to pass beyond them sometimes meant the death of the trespasser. This led to a quaint custom among the squaws of teaching the children the landmarks by which their own limits might be known, beyond which it was dangerous to wander. The lesson was imparted by a singsong similar to the geography songs in vogue among our grandmothers—"Massachusetts, Boston," etc.—except that the savage mother sang of stones, boulders, rocks, mountains, high trees, and other prominent objects in the landscape, instead of names of places.

Relations between villages were not always harmonious, and frequent wars occurred, generally occasioned by the abduction of women or quarrels over food sources. Fierce battles often took place around acorn groves or salmon streams. The name of one of the counties of the state, *Calaveras* (skulls), recalls a sanguinary fight that must have occurred on the banks of the stream to which Lieutenant Gabriel Moraga first gave the name on account of the large number of skulls that he found scattered along it.

In general their character was less war-like than that of many eastern tribes, and their comparative mildness has led many writers to speak of them as cowardly, but, as a matter of fact, the Spaniards had many sharp en-

counters with them before they were finally subjected. General Vallejo gives them credit as a brave people, and Lieutenant Moraga alone led as many as forty-six campaigns against them. Americans, finding them already reduced by the efforts of the Spaniards, failed to appreciate how much of the frontier work had been accomplished before their arrival. It is to be said to the credit of the Californians that they never tortured prisoners of war, though some of them took the scalps of their dead opponents. Cannibalism was practiced by them to the extent of eating parts of the body of a dead enemy with the idea of acquiring his valor.

One of the peculiar institutions which the Californians had in common with other American Indians was the sorcerer, or "medicine man." Contrary to what might be expected, these primitive people were much given to "doctoring," and as soon as they felt ill sent for their medical man, in whom they had profound faith. His treatment consisted mainly of a hocus-pocus of waving of hands and muttering of incantations, after which he placed a hollow tube which was the tool of his trade against the body of the patient and pretended to suck out the cause of the disease, generally a dead lizard or other small animal, which he had of course previously secreted in his mouth. Notwithstanding the ridiculous pretenses of these fakers, it cannot be doubted that they had some real knowledge of the medicinal properties of herbs and roots and other natural remedies, and often used them to the benefit of their patients. Even the Spanish residents sometimes called them in when all other means failed.

One of the favorite means for treatment of illness among these Indians was the *temescal,* or sweathouse, a mound-like structure made of timbers hermetically covered with earth, with only one small opening for ingress and egress. A large fire was built inside this structure,

the patient entered, the door was closed, and there in the hot steaming atmosphere the sick one remained until he was in a dripping perspiration, when he rushed out and leaped into the nearest stream of ice-cold water. It was a sort of "kill or cure" remedy, and the Spaniards attributed to its use the large number of deaths among the Indians from small-pox and similar diseases.

Religion and Myths

Of religion they had none worthy of the name, as we understand it, and yet they had distinct ideas of the creation of the world and the flood, every tribe believing that the creation took place in the immediate vicinity of its own habitation. They had a tradition that at a very remote time in the past the sea began to swell and roll in upon the plains and fill the valleys until it covered the mountains. Nearly all living beings were destroyed in this deluge, excepting a few who had gone to the high peaks. There was some vague notion among them of a supreme being, known by various names among the different tribes. That they had some idea of immortality is shown by their belief that good Indians went to the Happy Western land beyond the water, where food was to be had in plenty without effort, and there was nothing to do but eat, sleep, and dance. Father Boscana, who made an interesting study of the customs of the San Juan Capistrano Indians, says that when the coming of the new moon was celebrated an old man danced in a circle, saying, "As the moon dieth and cometh to life again, so we also, having to die, will live again." Their mythology is far more extensive and interesting than is generally believed, and, as Kroeber says, "Their legends evince a higher power of primitive speculation than might be anticipated in view of their being largely animal tales, with coyote as the chief figure."

The aboriginals of California had few or no traditions relating to their origin in another land, a circumstance which points to the inference that they must have lived in the country since a very distant age, if they did not actually spring from the soil. So many cycles had passed since their coming that their beginnings had been absolutely forgotten. Although it is generally agreed among scientists that the Indians of America originated in Asia, no positive evidence now exists to connect the Californians directly with the Asiatics, and the question of their primary origin is one of pure speculation and theorizing. There are no specific physical resemblances, no traditions pointing to Chinese or Japanese, and no signs of their culture.

Music and Language

Recent studies of the songs of the California Indians made by Derrick N. Lehmer of the University of California indicate that these natives were possessed of a greater power of imagery and lyric sense of music than they have been generally credited with.

There was an astonishing multiplicity of languages among the Californians, constituting a veritable babel of tongues. Within the northern and southern boundaries there were one hundred and thirty-five dialects. This confusion of tongues was one of the principal difficulties with which the missionaries had to contend. It was a very laborious task to learn so many, and interpreters were not to be had, for many of the groups could not understand each other's speech, even though separated sometimes merely by the width of a stream, as was the case of Dos Pueblos (two towns).

Population

As compared with most other regions of the North American continent the native population in California

was dense, a condition doubtless to be ascribed to the mild climate and superior food supply, both marine and terrestrial. A conservative estimate places their number at the time of the discovery at from 100,000 to 150,000, one-eighth of the entire population in the territory now covered by the United States, with only one-twentieth of the area. Except for the disastrous effects of diseases brought by the whites, their numbers were not seriously diminished under the rule of the Spaniards. The Dons were not hard masters, and life went on happily enough for the original owners of the land, despite the fact that they were used as the laborers in its cultivation. After the secularization of the missions their condition deteriorated very much, but even this was as nothing compared to what happened to them after the discovery of gold. After that the aboriginals began to perish with frightful rapidity. Mining operations destroyed their food sources; the "salmon waters" were roiled up by the soil that was washed into them, so that the fish came no more; acorn groves were cut down for firewood by the miners. The loss of the land, however, was the prime cause of their wholesale destruction. It was the old story —the Indians induced to sign treaties that they did not understand, made to move on and on, from good lands to dry, barren, desert spots, until slow starvation brought down their numbers to a pitiful remnant, estimated by Kroeber at about 16,000 in the year 1900, and by the United States census at 17,310 in 1920. It has been stated by a good authority that the "world has hardly ever seen such wholesale destruction of human life—through famine, disease, whisky, and direct killing, but above all by the confiscation of land—as that which occurred among the Indians of California in the 'fifties and 'sixties."

It is mainly through their own efforts, rather than any

government aid, that they have finally got on their feet and avoided complete extermination by adapting themselves to the conditions of civilized life. Though less picturesque than the eastern tribesmen, less addicted to appearing in plumed headdress and beaded buckskins for the entertainment of the whites, the California Indian has made greater actual progress in becoming a regular member of the community in which he lives. He is not a dependent upon Uncle Sam, but in general is engaged in earning his own living at useful though humble work. In some sections of the State the Indians are now prosperous enough to ride in their own automobiles and for the women to dress in silks, but in other parts conditions are not so fortunate and they call strongly for measures of relief.

Place Names

Of permanent impress to tell the story of their unnumbered centuries of occupancy of this choice corner of the earth these primitive people have left nothing but the place names taken from their language, or languages, which are scattered thickly over the map of the State. The meaning and origin of most of these names are involved in mystery, for scientific investigation was not instituted until the greater part of the aboriginals were dead, and those left alive had utterly forgotten everything connected with their historic past. It was not until this group was largely destroyed that the white man realized the loss which he himself had caused to the ethnological records of America.

Considering the general disregard in which the Indian was held it is rather remarkable that the names of nine California counties—Colusa, Modoc, Mono, Napa, Shasta, Tehama, Tuolumne, Yolo, and Yuba—have been taken from his language; while two more—Inyo and Siskiyou—are supposed to be of native origin. In gen-

eral, it may be said that the significance of the native names of towns, rivers, mountains—as well as of the counties—has been hopelessly lost; and we must be content with the historic interest which their sound, sometimes pleasing, sometimes harsh, gives to the nomenclature of the State. They are the only monument to the people who were the first lords of the soil.

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Part II

THE SPANISH PIONEERS

Chapter VII

MISSION, PRESIDIO, AND PUEBLO

Importance of the Missions to California

OF the three institutions made use of by Spain in its efforts at the colonization of Alta California—the mission, the presidio, and the pueblo—the mission must always stand first. It was the great constructive element, the other two serving chiefly as a support and defence to it. The ostensible purpose of the government of Spain in its great mission establishments throughout southwestern America was the saving of the souls of the aboriginals; but in reality it was to win them to Spanish allegiance. Long experience had shown that the missionary was the most successful in training the ignorant savages in the elements of civilization as a means of making them obedient subjects of the king. Thus the humble soldier of the cross had a political as well as a religious function to perform. He was an agent both of the church and of the state. In the performance of this double duty he was expected to cover a wide range of service besides instruction in the doctrines of the church, and his talents and capacities had to be correspondingly varied.

As an example of government service may be cited the recommendations made by Serra to the viceroy that Captain Anza be granted his request to make a survey of an overland route from Sonora to California, and that ships be sent out to explore the northwest coast. By these recommendations the administrative genius of Serra laid the foundations for the introduction into California of agri-

culture, cattle raising, and manufactures; opened the way for its settlement by actual colonists; and initiated the exploration of the entire northwest coast by the voyages of Juan Pérez in 1774, Heceta and Bodega in 1775, and of San Francisco Bay by Ayala in the last-named year. It is upon his activities in the establishment of the civic state as well as for his missionary labors that the claims of Serra as the Founder of California justly rest.

California was Spain's last colony; therefore its "old missions" are really the youngest of all those which were scattered over two-thirds of the Western Hemisphere, everywhere from Patagonia to Sonoma, from Buenos Aires to Tallahassee. Their historical importance to the state is incalculable, not only for their service in winning it for the civilized world, but in laying the foundation for all its art, literature, and sentiment. The Franciscan Missions, even in their present state of ruin, have come to be regarded as a distinctive feature of California's heritage.

It is an interesting coincidence that the work of these missions should have begun at nearly the same time as the American Revolution. The foundation ceremonies of San Francisco de Asis, October, 1776, were held in the same year as the proclamation of the Declaration of Independence, thus signalizing the year by a memorable event on each side of the continent, entirely independent of each other.

Early Conditions

Although the mission system adopted in California was practically the same as in other parts of the country, the circumstances of the founding were somewhat different. Here it was not a single missionary venturing alone into a distant land, facing every danger from the elements, wild beasts, or the untamed savages of the forest. Here they went to their stations under the protection of

the government, accompanied by a guard, supplied with provisions, assisted in every way until the missions could gather their Indian colonies around them and become self-supporting.

Twenty-one missions in all were established in Alta California, forming a chain along the Camino Real from San Diego to Sonoma, at intervals apart of about a day's travel on horseback—some thirty miles. The King's Highway was at first scarcely more than a bridle path, but such as it was it constituted the only road by which travelers might make their way from mission to mission and from presidio to presidio. Nine of these missions were founded by Serra, either in person or under his direction; the succeeding nine by Fray Fermín de Lasuén, a name scarcely less brilliant in California history than that of Serra; and the remaining three by other friars.

There were three prime requisites in the choice of a mission—arable soil in the immediate vicinity for crops, a convenient water supply for household use and irrigation, and a good-sized population of Indians. Observation of the sites even in our day proves the good judgment of the missionaries. By the time the twenty-one missions were established the friars had in their possession much of the choicest land in the province, a fact that led to some resentment on the part of private owners and later aroused their cupidity.

Mission Architecture

The first buildings provided were of the very rudest construction, mere huts of sticks, plastered with mud or clay, with tule or mud roofs. Even the chapels were made of the same materials, and were distinguished only by the altar and other church furniture with which the padres managed to provide them. The permanent buildings with which we are familiar, dignified even in their

ruins, were of slow growth, built through years of toil after Indian labor was better trained. Few of the pioneer missionaries ever saw them, and the stone walls of San Carlos Borroméo as we know it were never hallowed by the bodily presence of the illustrious Serra.

The architecture of the missions of Alta California is distinctive, differing in many particulars from that of other parts of America. The California padres, in their isolation from the rest of the country, had to evolve a plan of their own from a combination of ideas brought from Spain, in which both Moorish and Roman influences may be traced, with variations in design for convenience and suitability to environment, by which they produced an original type, what is known as "California mission architecture." This type is distinguished by the open court, long colonnades, round arches, corridors, tile roofs—a type both unique and picturesque. Experiences with earthquakes, by which many of the earlier buildings were partially or completely destroyed, no doubt had something to do with the use of the thick walls, in some cases re-enforced with heavy buttresses, which give the buildings their massive and imposing appearance; while the red-tiled roofs, which make a pleasant warm note in the landscape, were the result of many bitter lessons from fire. Thus out of need came beauty.

System of Government and Instruction

The system was a complete form of patriarchal government, in which the missionaries occupied the same relation toward their Indian wards as fathers to their children. At each establishment there was an administrative body consisting of two monks, the elder of whom had charge of interior matters and religious instruction, the younger of agricultural and other outside works. All

were subject to the authority of a father-president, and he in turn bowed to the orders of the College of San Fernando, headquarters of the Franciscan order in the city of Mexico. Except in the case of capital crimes, the friars had full control of the lives and destinies of their charges, and were in fact absolute rulers of their little domain. Corporal punishment, by flogging and otherwise, was administered to the Indians for many offences, though not usually with undue severity. La Pérouse and other early visitors were much shocked by such spectacles, which they regarded as violations of the natural rights of man. The missionaries defended this method of discipline, on the ground that it was the only effective means of controlling the child-like natives, and insisted that they practiced it merely as fathers upon their children.

The missions were not devoted entirely to religious instruction, but each became an industrial school, in which these natives who had never before known the meaning of work learned many trades. It was in fact the Franciscan and Jesuit missionaries who first devised the manual training school in America.

There was no form of industry in which the inventive genius and mechanical skill of the padres was more evident than in the irrigation works which they constructed at the various missions. They were the pioneers in the great water system which now covers the greater part of the State with a network of canals. Remains of their work in a good state of preservation may yet be seen at San Diego. In addition to being farmers, teachers, musicians, weavers, carpenters, masons, architects, physicians for both soul and body, these versatile men had to be engineers.

They especially devoted themselves to agriculture, often putting hand to the plow themselves, and the time

came when they raised more than enough for their own use. This surplus—of meal, wine, oil, hemp, hides, and tallow—was shipped to San Blas and there exchanged for articles needed in the new community—clothing, furniture, implements, and tools. The mission farms and orchards were experimental stations, where various products were tried out to ascertain their adaptability to the conditions of climate and soil. Semi-tropic fruits, such as the orange, lemon, fig, date, and olive, flourished in the mission gardens and became the forerunners of the tremendous horticultural industries for which California is now known around the world. Some of these aged trees, notably the pears at Monterey and San Juan Bautista, founded respectively on June 3, 1770, and June 24, 1797, are still bearing fruit. Cotton was raised at some of the missions in quantities sufficient to prove the feasibility of its cultivation.

When Serra reached California he found a degraded people, sunk in the very depths of savagery. Out of this unpromising material he fashioned, in the short period of sixteen years that he spent here, the beginnings of civilization. At the time of his death there were nine flourishing missions, whose converts numbered 5,800. Their flocks and herds covered thousands of acres, and in their busy workshops the newly reclaimed savages had learned many useful arts, such as spinning and weaving, carpentry and masonry; besides the raising of crops for their own sustenance. As adjuncts to the missions four presidios and two towns occupied by Spaniards had been established, and the settlement of the country by white people had been inaugurated. Success had crowned their efforts beyond Serra's fondest dreams. A leading factor in this success was the presence at the head of affairs in Mexico at that time of the strong and able Viceroy Bucareli. Without his fostering aid things might not have

gone so well for the struggling establishments in the distant colony.

Character of Missionaries

In the personal character of its first missionaries California was singularly fortunate. Spain sent here her best, usually university men, high in spirituality and intellectual attainments. Early visitors could not find terms warm enough to express their admiration for these men who had left home and friends, often positions of high trust and promise, to come to live among miserable savages with the sole object of saving their souls. Among them all Serra naturally stands highest, but among his companions and successors there are many noteworthy names, Francisco Palou, founder of the mission of San Francisco de Asis, Fray Fermín de Lasuén, and others. Palou is notable not merely as a missionary, but as the author of the first book ever written in California, his *Noticias de la Nueva California,* which, with his *Vida de Junípero Serra,* forms the basis of all the early history of the State. Lasuén was a man of remarkable talents and character, by some historians considered Serra's equal, and he worthily filled the post of president after the founder's death in 1784.

Presidios and Military Towns

The presidios were frontier fortresses, whose primary purpose was to protect the missions and guard against foreign aggression, but which eventually developed into military towns with civic functions. These presidios were located in strategic positions, generally at the entrances of the leading ports. Small groups of houses, inhabited by traders, the families of soldiers, settlers, and others, gradually grew up around the presidios, forming military towns, some of which developed in time into thriving cities. San Diego, founded July 16, 1769;

Monterey, June 3, 1770; San Francisco, September 17, 1776; Santa Barbara, April 21, 1782, belonged to this class of presidial pueblos and were for a long time under military rule, but each finally acquired its own civil government.

The officers and first Spanish missionaries were generally of pure white blood and formed the aristocracy of the colony. The common soldiers of the first Spanish expeditions were a picked lot, required to be physically sound and of good moral character, but under Mexican rule they deteriorated very much, some of them being convicts actually serving out sentences of banishment to California. Yet there were always some good men among them, and they all did good service in Indian campaigns and other ways. General Vallejo refers to their loyalty and obedience with much appreciation.

The fortress consisted of a square enclosure surrounded by a ditch and rampart of earth or brick, within which were the church, quarters for the officers and soldiers, settlers' houses, storehouses, workshops, wells, and cisterns. Outside were grouped a few dwellings and at a little distance was the king's farm (*El Rancho del Rey*), which furnished pasturage for the horses and mules of the garrison and raised crops for the support of the soldiers.

Besides the strictly military work, such as explorations, bear hunts, the capture of run-away Indian neophytes, and carrying the mails, the duties of the soldiers were supposed to include the erection of buildings, the care of herds and flocks, cultivation of the soil, and similar labors. These occupations were not at all to their taste, however, and they soon learned to employ Indian neophytes for every service except purely military duty. The Indians did practically all the work that was done in the earliest days of white occupation, usually receiving

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MISSION SANTA BARBARA

such pay as a string of beads, a dish of porridge, or a bit of cloth.

The soldiers were poorly equipped and dressed, wearing for active service a quaint uniform of long leather jacket over their ordinary clothes. The horses were also covered with leather armor, like the steeds of the knights of old. With this outfit and a few bronze cannon mounted on the ramparts, for which as often as not there was no powder, these posts were well enough fitted to resist any attack by the still more poorly armed Indians, but not one of them could have stood up against a ship of war. Indeed, they seem to have been maintained more as a moral warning against possible enemies than with any real expectation of making a fight. In time the cannon rusted and the entire establishment took on an air of general dilapidation.

The officers at the presidios, some of whom were educated men of good family, lived under very comfortless and primitive conditions, so much so as to awaken the pity of foreign visitors who finally began to make their way into the country. They lived like exiles in a strange land, waiting for the day when they might return to their former and more comfortable homes. The families of all lived within the walls of the presidios. Vancouver describes the *comandante's* house at San Francisco as consisting of two rooms with earth floors, not boarded or even leveled, windows without glass, and almost a complete lack of furniture. Yet such was the charm of the manners and the warmth of the hospitality of the family that the Englishman admits that he forgot to pay any further attention to their lowly surroundings.

Mission Towns

In the same way that military towns sprang up around the presidios, so did small villages gradually cluster about

the missions, forming what came to be known as the "mission pueblos." In this category were Sonoma, founded July 4, 1823; San Juan Bautista, June 24, 1797; San Juan Capistrano, November 1, 1776; and San Luis Obispo, September 1, 1772, all still flourishing under their original names. Like the military towns, they were all finally transformed into civic municipalities, with regular city governments.

Civic Pueblos

Finally, there were the *bona fide* pueblos established in the beginning as civic communities, running under a definite civil government. There were but three pueblos of this class, San José, founded November 29, 1777; Los Angeles, September 4, 1781; and Branciforte (now extinct), 1797, which are entitled to be considered the first municipalities of California. The pueblos were definite civic units, founded and conducted according to the standardized plan laid out by Governor Neve in his code of laws, or *Reglamento,* issued and promulgated in June, 1779. By these regulations each pueblo was granted four square leagues of land, laid out in the form of a square or oblong, according to the topography of the country. First a plaza was marked out—in inland towns a rectangular space in the center, but in case the town was on a river or bay, on the water front. Facing upon the plaza were the public buildings—the council house, the church, store-rooms, and jail—the remaining frontage being occupied by dwelling houses. About these central squares the whole life of the community, public and social, revolved, even bull fights sometimes taking place in them. The old Spanish plazas still remain in some of the California towns, notably in San Francisco, where the plaza occupies the same situation but under the name of Ports-

mouth Square; in Sacramento; and in Monterey and Sonoma, where it is still called the plaza.

Many inducements were offered to settlers to make their homes in these pueblos. Each settler was entitled to a house lot; a tract of land for cultivation and another for pasture; the loan of stock and implements for a beginning; an allowance in clothing and supplies amounting to $116.17½ for each of the first two years, and $60 for each of the next three; the use of government land as common pasture; and, finally, exemption from taxes for five years. In return for this aid the settler was required to sell his surplus products exclusively to the presidios, and to hold himself, his horse, and his musket in readiness for military service in any emergency. He was also required to build houses; dig irrigating ditches; cultivate the land; keep implements in repair; and maintain a certain number of animals. Each pueblo was expected to perform community work in the construction of dams and irrigating canals, on roads and streets, on church and other town buildings, and in tilling the public lands, from the products of which the municipal expenses were to be paid.

The entire arrangement was to be provisional for the first five years, at the end of which period the settlers were to receive permanent title to their lands. As a safeguard against the carelessness of improvident persons, the rule was strict that no one could sell or mortgage or otherwise alienate his land. This was a paternal measure, intended to protect people from their own folly; but it was very generally violated or evaded.

Municipal officers, consisting of an *alcalde* (similar to our mayor), or two *alcaldes* in the larger towns, and a board of councilmen (*ayuntamiento*), were at the beginning appointed by the governor, but were afterwards

elected by the people. The *alcalde* decided all cases of minor importance, punishable by fine or imprisonment, while cases of greater magnitude, like those of murder and other high crimes, were brought before the governor at Monterey, whose decision was final. The trial by *hombres buenos,* to which anyone that might demand it was entitled, differed from our trial by jury only in the number of the jurors, they having three or five, as ordered by the magistrate. The powers of *alcaldes* were almost unlimited in their own domain, and it was fortunate that they were as a class men of good, strong common sense, honest in their administration of justice, and careful to give every man his due. The *alcalde* was in effect the "little father" of the whole town, and all carried their troubles, public and private, to him.

The duties of the *ayuntamiento* were numerous and onerous, for it managed all the public business not only of the town but of a large contiguous territory besides; for instance, that of Los Angeles at one time had jurisdiction over an extent of country as large as the State of Massachusetts. It was a more dignified body than American city councils, and its members were required to attend the sessions attired in black apparel, "so as to add solemnity to the meetings." The body itself was entitled the "Illustrious Ayuntamiento." There was no pay attached to the offices of *alcalde* or *regidor* (councilman), for it was considered that the honor of holding public office more than compensated the holders for their labors. At least in the earlier days the inhabitants had no knowledge of courts of law and jurisprudence generally; small municipal matters were regulated by the *alcaldes* and *regidores,* while everything pertaining to the general government was left to the *comandante,* acting under the orders of the governor. The *ayuntamiento* received petitions and complaints from citizens who had cause for

dissatisfaction, ranchers as well as townsmen, and it passed ordinances for the regulation of municipal affairs, even including amusements. This is for the earlier days, but afterwards, under the Central régime in Mexico, *alcaldes* and *ayuntamientos* were suppressed, and there were justices of the peace who exercised the judicial functions formerly performed by the *alcaldes*.

The first civic pueblo to be founded was San José de Guadalupe, on November 29, 1777, when a few mud huts were erected on the banks of the Guadalupe River and occupied by nine soldiers with their families, chosen from the presidios of Monterey and San Francisco, together with five other families of settlers. This first settlement was informal, the royal sanction of the foundation not being received until 1781, and it was not until 1786 that the settlers received their deeds and were put in formal and legal possession of their lands. The growth of the town was very slow and for years it consisted of but a few scattered houses of settlers who barely obtained a living from the products of their lands and the supplies allowed from the government. After trappers and traders began to come into the country overland, on account of its situation in the line of travel San José became their rendezvous and received quite an impetus from their trade, as well as rather an evil reputation from their misdeeds. This reputation was lived down in time and the place started on its upward way to become what it is now, one of the principal cities of the State, famed for its beautiful rose gardens.

The second civic pueblo, Nuestra Señora la Reina de los Angeles de Porciúncula, since abbreviated to Los Angeles, was founded on the banks of the Porciúncula (now the Los Angeles) River on September 4, 1781, with twelve settlers and their families, brought for the purpose from the peninsula by Lieutenant Zúñiga. Noth-

ing could be more humble than the social beginnings of this now proud city, for its first citizens were mainly of Indian and African blood, with but a slight admixture of Spanish. California was not then held in the same regard as now, and it was difficult to induce persons of standing and character to accept exile to that distant wilderness. Yet, unpromising as they seemed, this motley band of colonists set to work, and by 1784 they had replaced the first rude huts with substantial adobe houses and laid the foundations for a church and other public buildings. It is on record that in 1786, when deeds were finally issued to them, each affixed his cross, for not one could write his name. Gradually there came to live in the new pueblo, the second *bona fide* municipality of California, a better class of inhabitants, and the town assumed some importance from its trade with New Mexico.

The third civic community, Branciforte, christened for the viceroy of that name, designed to serve as a point for defence as well as for industrial colonization, was founded in 1797 near the site of the present city of Santa Cruz. It was a failure almost from the beginning, and it soon passed out of existence. The cause of the failure was not so much in the plan as in the class of colonists sent to found it—composed of the riff-raff of Mexico. The central government had already entered upon its mistaken policy of using California as a penal colony, similar to Australia, and in doing so had laid the seeds for the subsequent rebellion of her decent inhabitants. Not a vestige of this town remains on its original site.

Founding of San Francisco

As has been said, the mission and presidial pueblos in general came into being as a natural consequence of the establishment of the missions and presidios, without any

direct steps being taken for their settlement. In the case of San Francisco, however, a different method was adopted, for this port was settled by a party of immigrants brought from Sonora, one of the north Mexican states, especially for the purpose. The government was a long time in understanding the importance of Portolá's inadvertent discovery of the bay of San Francisco, and continued to give the name and all their interest to Drake's Bay, but it finally came to realize that this "great arm of the sea" was in truth a *puerto famoso,* far more worthy of dedication to the patron Saint Francis than the insignificant port of Cermenho's disaster.

In accordance with the recommendation of President Serra, in March, 1775, the viceroy sent the transport *San Carlos,* under Captain Don Juan Manuel Ayala, to make a thorough exploration of the bay of Portolá's discovery, which was still without a name. Up to this time no white man's ship had been known to pass through the Golden Gate, called by the Spaniards simply *La Boca* (the mouth), and it was feared that many dangers lurked in its narrow, rock-bound passage. It was nightfall of August 5, 1775, when the *San Carlos* arrived at the entrance, but the captain was so eager that he would not wait, but moved in, very cautiously, dropping the lead every few moments. The wind blew strongly, threatening momentarily to tear out a mast, but the little vessel crept on until she reached a point a league within the mouth, in the vicinity of the present North Beach, when the wind suddenly fell calm.

This is the first recorded entrance through the Golden Gate, for the documents of the early navigators preserve a strange silence on the subject, so that it has been generally thought that they had all failed to observe the mouth, perhaps on account of its being masked with fog. But there is a reference in Palou's *Noticias,* quoted from

Cabrera Bueno, which seems to indicate that the passage had been known before, and perhaps had even been entered. The reason for the universal silence on the subject remains a mystery; it may be that the navigators utterly failed to realize the significance of this momentous discovery. The quotation from Cabrera Bueno is as follows:

> Through the opening in the center [of the Gulf of Farallones] enters an estuary of salt water without any breaking of the waves at all, and by going in one will find friendly Indians and can easily take on wood and water.

Ayala remained in the bay for forty-four days, during which time he thoroughly explored its shores and gave names to two of its islands—which they still retain—*Nuestra Señora de los Angeles* (Our Lady of the Angels), now shortened to Angel Island, and *Alcatraz* (pelican), so called because of the large number of those birds seen flying about it.

Juan Bautista de Anza

The true value of Portolá's accidental discovery was now demonstrated and the importance of the settlement and defence of this port against the apprehended advance of the Russians was fully realized. From this time the name of San Francisco was applied to this bay, and the attention of the government at Mexico was concentrated upon its occupation and fortification. We now come to the founding of the presidio from which grew the famed city of San Francisco, in which Juan Bautista de Anza, credited by many writers with being the most forceful figure in the whole story of California, plays the principal part.

Anza was one of the greatest Indian fighters that the West ever produced, and his father and grandfather were in the same business before him. He had long planned to

explore a road westward to the ocean, believing that such a land route would obviate the delay and perils of the sea voyage, which up to that time had been the only means of communication between California and the rest of the Mexican colonies. The enterprising Viceroy Bucareli, convinced of the importance of settling San Francisco, saw here an opportunity not only to open the new land route, but to send colonists for the new settlement under the leadership of a thoroughly capable man. He therefore empowered Captain Anza to make in advance a reconnoitering trip over the proposed route, and if it were found feasible to follow it up with a colonizing party. In January, 1774, Anza set out from Tubac with a band of thirty-four men on this epoch-making adventure, the first crossing of the mountains into California by white men, through a pass in the San Jacinto Mountains, a southern spur of the Sierra Nevada, coming out at Hemet. By it was marked the trail into California, afterwards followed by many of the gold seekers of '49, whose dead bodies, scattered in scores along the way, were the best proof of the difficulty of the task and the skill and courage of the man who first accomplished it. On March 22 the party reached San Gabriel in California, where they were received with intense joy by the padres.

The overland route was now opened, and, except for the dearth of water and the toilsome sand dunes of the Colorado, was found to be fairly practicable. Preparations were at once set on foot to send on, under the same leader, a party of colonists for the new settlement of San Francisco. On October 23, 1775, Anza left Tubac at the head of a company of 240—men, women, and children—and so well and faithfully did their commander lead them through the snows of the high Sierra in the dead of winter that they arrived at their destination not

only without the loss of a single life, but with eight more added to the number—births along the way.

The character and station of the persons selected to become the first colonists of the city by the Golden Gate were little better than those of her modern rival, the city of the Angels. They were recruited from the class "submerged in poverty," and the government was compelled to supply them with every necessity, from frying pans to hair ribbons. The chaplain, Fray Pedro Font, has left a complete and most interesting account of the whole expedition.

After leaving his people at Monterey, Anza went on to San Francisco Bay, where he selected sites for the presidio and mission. On account of some delay caused by Governor Rivera, he decided not to remain for the actual ceremonies of the founding, and so rode away forever, amid the tears of those he left behind him.

On September 17, 1776, the presidio was formally dedicated, on the same site still occupied by the United States as a military post, and on October 9 the mission was founded by Fray Francisco Palou, acting for the father-president. The proper name of the mission was San Francisco de Asis, but on account of the situation on Dolores Creek it later became familiarly known as Mission Dolores. Thus was founded the city of Father Font's vision, of which he prophetically wrote, "There could not be anything finer than this in the world, for it has every requirement for founding upon it a splendid city."

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Chapter VIII

PASTORAL DAYS

Method of Colonization

THE colonization of California by the Spanish pioneers was carried out under entirely different conditions from those under which the "winning of the West" was accomplished by the Anglo-Saxons in the eastern part of the same continent. American frontiersmen moved into the wilderness individually, with no recourse but their own strong right arms; while the Spaniards came in companies, supported by a paternal government in every way. The list of necessities to be provided by the government for the colonists sent to found San Francisco, as given by Captain Anza, shows how complete was the dependence of the people upon this assistance. He mentions—besides the absolutely necessary items of arms, horses, mules, cattle, and rations—shirts, underwear, jackets, breeches, hose, buckskin boots and shoes, capes, hats, and handkerchiefs for the men, with ribbons for their hats and to tie up the queues in which they wore their hair. For the women, chemises, petticoats, jackets, shoes, stockings, hats, *rebozos,* and ribbons were provided; and for the children all sorts of garments, ending with the invariable ribbons. Spurs, bridle and bit, saddle and cushion, and a leathern jacket of seven thicknesses of deer hide were added to each man's quota; while each family was allowed household utensils, from frying pans to blank books. After arrival and settlement in the new land, the government continued to stand by the new colonists and sent a yearly supply ship, with food and other necessities until they could become self-supporting.

While this plan may have been more comfortable for the settlers, it was detrimental in depriving the people of the spur of necessity which made of the American pioneers the self-reliant race that they were. The experience at the ill-fated town of Branciforte goes to show this, for it is clear that the bad character of the colonists was not the only reason for the failure of that settlement. Too much aid was given to them, and the near presence of a large body of natives who could be forced or hired for a small percentage of the crops to do all the work, was another drawback to the development of that self-reliance which is the first quality of the pioneer.

Industrial Pursuits

It was nevertheless the desire and intention of the Spanish government that the settlers should become self-supporting as soon as possible; so they looked about them for an occupation. Conditions in California at the beginning of the colonial period were favorable to only one industry—the oldest in the world, that of the shepherd. Lack of a market made manufacturing out of the question, and the same objection applied to agriculture except in a limited sense—merely for their own needs. Every circumstance was present to encourage the raising of cattle and sheep—almost unlimited pasture, plenty of water, a climate mild enough to permit the animals to live throughout the year with little or no shelter, no necessity for fences, and a large supply of easily trained workers at hand. Mother Nature had prepared all conditions here for the pastoral life, and it was moreover an employment that suited the natural disposition of the Spanish Californians, who, though not fond of hard labor, liked the outdoor life on horseback required by the care of cattle. The small band of two hundred cattle brought by the Portolá expedition, with the few that managed to

survive the terrible mid-winter crossing of the Sierra with the Anza party, formed the nucleus from which grew the one great industry of colonial California.

Spanish-Mexican Land Grants

This choice of an occupation led naturally to another branch of colonization in addition to the mission, presidio, and pueblo—that of the famous Spanish land grants, to which further reference is made in a later chapter. In order to raise cattle, settlers had to have land. There is no phase in the whole history of California of more far-reaching importance, to Americans as well as to the Californians, than the subject of the private land grants issued during the Spanish-Mexican era. To the Californians they were of vital importance as the basis of their most prosperous development and the origin of their wealth; to the Americans because their own titles are founded upon the original grants. At the present day nearly every farmer in California holds his land by a title going back to Mexico or Madrid, for most of the farms are divisions of the famous grants given by the Spanish and Mexican governors, which were recognized by the United States Government at the time of the American Conquest. Important as it is, the phase has never been made the subject of an exhaustive study, and still remains as a nearly virgin field for some painstaking student. The story of each one of these grants contains in it matter for romance as well as for the law.

Although it was the constant policy of Spain to encourage by all means the settlement of its possessions in the New World, yet, during its dominion in California, ownership of lands was as a rule granted only to the missions and pueblos, not more than ten or twelve grants being ceded to private persons in that period. There was more than one reason for this state of affairs. The mis-

sionaries jealously resisted the giving of the land to individuals, ostensibly on the ground of the bad character of the first settlers and their unfavorable influence on the Indians. Then at first it was impossible to guard scattered ranchers from attacks by the natives, of whose disposition the discoverers were not at all certain, and consequently all persons were required to live "in the pueblos, and not dispersed." In time, however, circumstances arose making the private rancho a necessity, and in 1775 Comandante Rivera made such a grant to one Manuel Butrón, who thus became California's first ranchman. In 1786 Governor Fages was empowered to make private grants, not to exceed three leagues in extent, to be beyond the limits of the existing pueblos, not to conflict with the missions or Indian villages, and to be outfitted by the grantee with a storehouse and stocked by him with at least 2,000 head of cattle. It was during the Mexican régime, however, that most of the large grants were made, and especially toward the latter part of that period, when it became increasingly evident that California would probably pass to the control of the United States.

After the establishment of the Mexican Republic in 1822, extremely liberal inducements were offered to settlers, and, conditions having become safer for outlying residents, results were immediately evident in a large number of applications. With the secularization of the missions and the enactment by the Mexican Congress of the naturalization and colonization laws of 1824 and 1828, the number rapidly increased. By the law of 1824 security of person and property was promised to foreigners as well as to Mexicans who would settle in the territory and obey the laws, with freedom from taxes for five years. Any Mexican of good character, or any foreigner who was willing to become naturalized and to accept the Catholic faith, might acquire for the asking

eleven square leagues of land—one league to be irrigable land, four dependent on rain, and six for grazing. A league comprised a little more than 4,438 acres, by modern criterions quite a sizable farm in itself! Never in any instance was less than one league given to an individual, with free selection from all the unoccupied land in the territory.

These grants were to be made only to actual settlers and Mexican citizens were to be preferred to foreigners in the distribution of the land. Foreigners could not obtain grants within twenty leagues of the boundary of any foreign nation, nor within ten leagues of the sea coast. Ranchos were always spoken of in terms of leagues, not of acres, and one of four or five square leagues was considered comparatively small. Boundaries were loosely defined by some well-known land-marks, such as two chains of hills bounding two sides of the grant. Beginning at some definite point, generally marked by a pile of stones called a *mojonera,* the tract was measured by a horseman galloping at full speed with a fifty-foot long *reata* trailing behind him. The quantity of land was roughly estimated or guessed at, the convenient phrase *poco mas ó menos* (a little more or less) being used to cover any deficiency or excess. It will be readily understood that this vagueness of description inevitably caused much trouble and litigation when these properties fell into the hands of American occupants.

Cattle Raising

In time almost every Californian had his rancho, large or small, and some had several, each with its herds of cattle and horses. By 1830 there were fifty of these private ranchos in existence, fourteen of them being in the Monterey district, with nearly four hundred inhabitants. Having obtained the land, it was an easy matter for the

settler to stock it by borrowing horses and cattle from the missions, returning them when the increase permitted. It is said that the cattle multiplied at a greater ratio than in any other country, the result, no doubt, of the favorable climate, unequalled pasture, and the state of nature in which the animals lived. The period of the greatest prosperity of the ranchos was from 1828 to 1846, when their owners found a ready sale with the English and American trading vessels for the hides and tallow. It was then that the foundations were laid for the great fortunes which in some instances have endured until our own times, and, in its social aspect, this was the most truly romantic period in the whole Spanish-Mexican era.

William Heath Davis, himself a resident of the country during Mexican rule, gives a list of the largest land and cattle owners of the time from which we may quote a few examples. Francisco Pacheco owned the San Felipe and San Luís Gonzales ranchos, 90,000 acres, stocked with 14,000 head of cattle, 500 horses and mares, and 15,000 sheep. David Spence, who married into the Estrada family, counted 25,000 acres in the Buena Esperanza rancho, with 4,000 head of cattle. Henry D. Fitch, whose wife was Josefa Carrillo, had in the Rancho Sotoyome eleven leagues, with 14,000 head of cattle, 1,000 horses and mares, and 10,000 sheep. John A. Sutter enjoyed the full complement of eleven leagues, sixty miles long, well stocked by the favor of his Californian friends. Abel Stearns was the owner of a number of ranchos, comprising many thousand acres, on which grazed 30,000 cattle, 2,000 horses, mares, and mules, and 10,000 sheep. Mariano Vallejo had practically unlimited land, with stock in proportion. The sites now occupied by the large and flourishing cities of Oakland, Alameda, and Berkeley, are only a part of what was once the Rancho San Antonio, the property of Don Luís Peralta,

which furnished pasture for 8,000 head of cattle, and 2,000 horses and mares. Davis is authority for the statement that 1,045 grants in all were made by the governors of California of ranchos of all sizes, about 800 of which were stocked, averaging 1,500 head to each rancho, making a total of 1,220,000 head. This, he says, made California the richest country under Spanish dominion. The accuracy of Davis's statement in some respects may be open to dispute; no thorough study of the subject exists.

Each land grant, or rancho, had its distinguishing name, in much the same way as the great country estates in Europe. The names were of various origins, some religious, some based on natural phenomena, others on events in their history—such as *La Sagrada Familia* (the holy family), *Agua Caliente* (hot springs), *Pinole* (gruel), the last so called because the Spanish explorers were saved from starvation at that place by *pinole* given to them by the Indians. Many of these names are Indian in origin—*Sotoyome, Buri-Buri*—in which case their meaning is generally lost in the mists of antiquity.

During the entire pastoral era in California, which was in reality all the time before American occupation, cattle raising was the chief, almost the only industry engaged in by the people. The animals, incredibly increased from the small handful brought by the first settlers, furnished their owners with practically all their necessities and some luxuries. Beef formed the principal item of their food, leather made from the hides provided harness, saddles, soles for shoes, and other such articles; even the long horns of the cows were used to top the adobe walls and keep out bears. The hides and tallow were practically the only medium of exchange in trade, the country's "money," for of actual coin there was great scarcity at all times. It was estimated that during

the period of Alvarado's youth there was perhaps not more than $25,000 in cash in the entire province. Accounts were kept in terms of Mexican *pesos* and *reales,* but no cash was exchanged, only commodities bartered for other commodities. When Vallejo bought some smuggled books from a sea captain at San Francisco he paid for them with so many hides. Wearing apparel and other manufactured articles were obtained by bartering the hides and tallow to the foreign trading vessels which began to frequent the coast as soon as they found there was something to trade for.

Farms were called *ranchos* if they were devoted to stock raising, *haciendas* if to planting of crops, the two being often combined in one estate. Some of them employed over a hundred laborers, usually under the rule of a white *mayordomo,* although occasionally an Indian of uncommon intelligence was chosen to serve in that capacity. The Indians not only furnished the land but they did practically all the work, and without them the business of the country could hardly have been carried on. They took naturally to the handling of horses and cattle, and soon became the best cowmen in the world, not even excepting the *gauchos* of the Argentine plains. To work among the cattle or as house servants was considered a mark of honor, and only the Christianized Indians were used in those employments, the wild, or gentile, natives being put to the more lowly and laborious tasks of planting and ploughing.

Next to the Indians as indispensable aids in the care of the herds were the horses, about whose fine qualities much might be written. These animals were of the variety called mustang, which, far from being of mongrel breed, as many persons suppose, were direct descendants of the pure Arabian stock brought to America by the Spanish *conquistadores,* and they still retained many of

the good points of their aristocratic progenitors. Finely formed, capable of great speed and endurance, highly intelligent, spirited and courageous, they acquired a skill in rounding up and handling the cattle hardly less extraordinary than that of their riders.

The great increase in the herds and the absence of fences in the vast extent of country over which they ranged made necessary a large number of mounted herdsmen, or *vaqueros,* as they were called in California. The stock, from running free, became so wild and fierce that it was unsafe to go among them on foot, and any man who traveled away from the beaten roads needed a rifle, as much to defend himself against savage bulls as against the grizzlies, which at that time were very numerous and bold all over California. The horses also multiplied to such an extent that they ran wild in great droves on the plains of the interior, where they furnished one of the most thrilling sports to the Spanish cavaliers in lassoing and capturing them.

As time passed both cattle and horses increased so enormously that even bountiful California could not furnish enough pasture, especially in years of drought, which came then as they do now to torment farmers and cattle men. It sometimes became necessary to send out men to *desviejar* the herds, that is, to cut out and kill the older animals. The same thing had to be done with the wild horses, thousands of which were killed by being driven over precipices into the sea and into rivers, where they were drowned.

The lack of fences also led to the famous institution known as the *rodéo* (round-up), held for the purpose of separating and branding the stock belonging to the different owners, of making the cattle accustomed to a certain place, and preventing their going hopelessly wild. Each ranchero had his own branding iron, which was

required to be listed in the *libro de registro,* and no one could adopt or change a brand without the permission of the governor. The *rodéo* was conducted under the oversight of a regularly appointed *juez de campo* (field judge), who settled all disputes and saw that the regulations were strictly carried out.

At certain intervals *matanzas,* or slaughterings, were held, when men rode at full speed through the herds and killed the animals with one blow of a knife in a vital part of the neck. Next came the skinners, who took off the hides, and then the butchers, who cut up the meat into strips for drying. The tallow was melted and run into bags made of hides tied at the neck, in which form it was delivered to the trading ships along with the hides. Often the meat, for which there was no market, was left on the field to be disposed of by the Indians, wild animals, and the great troops of dogs which every ranchero kept for the purpose.

For many years cattle raising continued to be almost the only industry engaged in by the people. They paid little attention to general farming, partly because it was useless to raise what could not be disposed of, and partly because the plodding tasks and narrow confinement of ploughing and planting were not suited to their chivalric temperament. Pasture for the cattle was provided by a lavish nature, and such tillage as was necessary to furnish each establishment with enough wheat and other foodstuffs for its own use was turned over to the patient Indian serfs, leaving the *caballero* free to gallop over mountain and vale of his broad domain, where his flocks and herds grazed on a thousand hills.

Primitive Agriculture

Such progress as was made in agriculture was due to the friars and Indians. Mission San Gabriel, founded

September 8, 1771, was the mother of agriculture in California; wheat was raised there at a very early date and sold to the Russians, who furnished the only market, and it was there that the orange and the vine were first planted. At Mission San José, founded June 11, 1797, a tract about a mile square was planted to wheat. The padres made mistakes at first, and it took several years to learn how to grow good grain. Methods of sowing and reaping were extremely primitive. The ground was merely scratched with a rude wooden plow made of the crooked limb of a tree shod with an iron point, then harrowed by dragging over it large branches of trees. Over this slightly prepared soil the grain was scattered broadcast, and, so rich was the virgin earth which had lain fallow from time immemorial that even with this method the yield was enormous. John Bidwell speaks of wheat fields in the vicinity of San Francisco Bay which produced from 70 to 110 fold. Wheat growers saved themselves the trouble of re-planting by cutting so high that enough seed was left to sow itself; sometimes a third crop was raised in this way.

When the grain was ripe it was cut with hand sickles and bound in sheaves. The threshing was equally primitive in its method. First a circular piece of ground was fenced in and its surface watered and pounded until it was very hard; the wheat was then thrown into the enclosure and seventy-five or a hundred mares driven in and round and round until the grain was all trampled out. Next came the winnowing by tossing it against the wind in shovels. At first the only means of grinding was by hand with the Indian stone pestles and mortars, which kept numbers of women busy the livelong day. Water mills were built later at Santa Cruz, founded September 25, 1791, San Luís Obispo, San José, and San Gabriel; but the common method was by the *arrastra,* which

consisted of two millstones placed one on top of the other, the lower one kept stationary while the upper was attached to a cross beam and dragged around by a horse or mule, the grain being crushed between the two stones. The whole process was such as had been in use in Spain for centuries, even recalling memories of old Bible scenes.

The Spanish ranchos actually saved the American pioneers from the first stage of starvation which usually initiates such movements, for the first comers gathered around the principal settlements and lived on their products until they could make their own way. Stories of the extraordinary productiveness of the land and the variety of its products were undoubtedly carried back to the eastern states by returning trappers and traders and certainly helped to bring about the influx of immigration later.

Sheep were raised to some extent, but never held the same place in the estimation of the Californians as the cattle. Nevertheless, each mission farm and most of the private ranchos had their flocks, raised for mutton and wool. The wool was coarse and wiry, but strong, and was woven by the Indians on their hand-made looms into a very useful sort of cloth called *serga,* besides blankets. As for pork, neither Spaniard nor Indian would condescend to eat it, and hogs were raised solely for their lard, which was used almost altogether in soap-making, one of the few industries practiced at that time. Flax and hemp were raised in quantities sufficient for rope and textures, and, as already noted, enough cotton was produced to prove its feasibility. Some feeble attempts were made at raising tobacco, but the product was inferior to that produced in the eastern states.

The remarkable thing is that two great natural sources of wealth existing in California at that time were almost entirely neglected by the Californians—gold and the fur-

bearing animals. The sea-otter and fur-seals swarmed in the coast waters of California, but the inhabitants allowed this rich harvest to be reaped by American, Russian, English, and French trappers, while they themselves took a hand in it in only the most desultory way.

First Knowledge of Gold

The presence of gold in various parts of the province was known for some years before the so-called discovery by Marshall, as will be related more particularly later. Francisco López pulled out some wild onions with the glittering flakes attached to the roots in the San Feliciano Cañon, some forty miles northwest of Los Angeles, in 1841 or 1842. William Heath Davis saw bits of gold ore in the possession of the padres which had been brought in by the Sierra Indians. Enough gold was taken out of the San Feliciano placers to permit Abel Stearns to send about twenty ounces in 1842 to the Philadelphia mint, but the business never reached any volume or importance. Yet its presence was known to the Californians, and their apparent indifference to its possibilities has been ascribed to two reasons—the opposition of the padres, and the difficulty in overcoming the resistance of the Sierran Indians to entrance of the whites into that region. By the time of the arrival of the Americans, that resistance had been practically overcome. The character of the Californians, who did not particularly care to amass great fortunes either for themselves or their posterity, and their dislike for the hardships of the miner's and hunter's life, may have had something to do with their attitude.

Whatever may be the explanation, the gold madness which had afflicted their ancestors in Mexico and Peru did not affect them, and they lived their simple pastoral lives free from its fever. Life on the great ranchos was patri-

archal in its simplicity. Made up of moderate labor, varied with amusements mainly carried on in the open air, this ideal existence produced a race of healthy, happy, care-free beings, perhaps the happiest that the world has ever known. The ranchero was the unquestioned master of his estate, implicitly obeyed by his own family and his Indian retainers, living almost unfettered by law or government; but he did not abuse his authority, for he was by nature kind-hearted, mild-tempered, and a born gentleman.

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Chapter IX

THE SPANISH GOVERNORS

General Character

THE governors sent to rule over California by Spain were generally men of intelligence and probity of character, who honestly endeavored to serve their king faithfully and to advance the progress of the country in their charge to the best of their abilities. Up to 1775 Alta California was ruled in conjunction with the peninsula, under the inclusive title of *Las Californias,* with the seat of government at Loreto. Felipe de Barri and Felipe de Neve, the latter only in the first part of his term, were the incumbents during the time that this joint governorship lasted, but their rule over the northern province was purely nominal, the *comandantes* being directly responsible to the viceroy.

Pedro Fages, Explorer and Indian Fighter

As we have already seen, Pedro Fages followed Portolá in the military command of what was then known as New California. Fages is remembered as a sturdy, faithful officer who labored hard to put the new colony on its feet; as an Indian fighter of repute; as an explorer who led two expeditions to San Francisco Bay, in 1770 and 1772, and made a thorough examination of its shores; last, but not least, as a great bear hunter, who kept the whole colony alive for several months in a time of delay of the supply ships by providing bear meat from the Cañada de los Osos, near San Luís Obispo. His brusque manners and somewhat hot temper involved him in many disagreements with the missionaries and his own wife, all

of which are recorded in detail in the mission archives. Let it be said here, once and for all, that these constant wrangles between the clericals and the military, which loomed so large in their minds at the time, were but an inevitable phase in the pioneer work which was being carried on under trying conditions and divided authority. At this distance of time they should be allowed to sink into the insignificant position that they deserve. But in that day they had their effect, and the friction between the *comandante* and the president of the missions finally became so acute that Serra asked for the removal of Fages. This request was granted and Captain Rivera y Moncada, leader of the second land party of the Portolá expedition, was appointed in his stead.

The change turned out to be a mistake, for Rivera was not only of nervous and erratic disposition, but of a procrastinating nature, and he neglected to carry out the viceroy's orders in some respects. Elaborate instructions were given to him for the conduct of his office, forming what is known in history as the *Nuevo Reglamento,* adopted on July 8, 1773, which constituted the law of California for many years. Among its provisions were severe restrictions against the admittance to California ports of any vessels except those from San Blas and the Philippine Islands, barring even Spanish ships. This was the beginning of Spain's jealous policy concerning California, which resulted in the complete interdiction of all trade and the extreme discontent of its inhabitants.

Indian Uprising at San Diego

Notwithstanding Rivera's uncertain temper, the new colony, and particularly the missions, continued to prosper under his rule. There was but one serious break in the steady advance of civilization, an uprising of the Indians at San Diego, in which one of the friars, Fray Luís

Jaime, was killed. The outbreak was soon quelled by Comandante Rivera, and life resumed its peaceful tenor. Conditions were still primitive and comforts few. The rude architecture of pre-pastoral days—mud walls with grass roofs—was yet in use, but a few adobe houses had been built for the fathers, and a slight beginning in agriculture had been made. At the end of this first period in the history of California under Spanish rule, five missions had been established and were successfully running under the care of nineteen friars of the order of Saint Francis, all under the authority of President Junípero Serra, who had his headquarters at the mission of San Carlos at Carmel.

Seat of Government Moved to Alta California

It was not long before the government at Mexico came to realize the vastly greater importance of the "New" over the "Old" California, and orders were given for a change in the government of the northern province which was destined to have a profound influence on its progress. On August 16, 1775, a royal decree was issued directly reversing the relative positions of the two provinces, establishing the residence of the governor at Monterey as capital, and sending Rivera to Loreto to rule the peninsula as lieutenant-governor. This change not only removed the northern district from subordination to the southern, but placed it in the hands of an able, active, and enterprising man, Felipe de Neve, generally regarded as the best of the Spanish governors. Like his predecessors, Neve was a soldier, holding at the time when he was ordered to Monterey the rank of major of cavalry; but he had a statesman's mind, and his fame is chiefly based on the code of laws for the regulation of the civic and military affairs of California which he drew up and promulgated during his term of office. To him were due

the regulations for the founding of the pueblos, which have already been discussed.

The Yuma Massacre

It was under his direct supervision that the two civic towns, San José and Los Angeles, were founded, respectively on November 29, 1777, and September 4, 1781. Connected with the beginnings of these pueblos is one of the most tragic occurrences in the whole history of California. Captain Rivera, after he went to take the position of lieutenant-governor of the peninsula, received orders to bring in person a party of settlers for the proposed pueblos from Sonora and Sinaloa. Arriving at the Colorado River, he sent the families of colonists ahead while he remained with his troops for a time on the east bank for the purpose of resting his exhausted animals. Unfortunately for him and his men, he reached there at a time, July 17, 1781, when an outbreak among the Yuma Indians came to its climax and burst upon both Rivera and the two missions—Purísima Concepción and San Pedro y San Pablo—which had been established as way stations at the river crossing. All the male members of the settlements at the missions, all the soldiers in Rivera's command, including himself, and the friars at the missions, among them the famous priest-explorer, Father Garcés, were shot or clubbed to death, and the women and children carried off into slavery. Pedro Fages was sent with one hundred soldiers to the scene to bury the dead and ransom the women and children, which he succeeded in doing. This bloody affair, said to have been caused as usual by injustices perpetrated upon the Indians by the white settlers and the soldiers, is known as the Yuma Massacre. Neither pueblos nor missions were again established on the Colorado River, and the route opened with such great effort by Juan Bautista de

Anza became more dangerous to travel than ever before. Governor Neve joined Fages in a campaign against the Yumas, but it was a complete failure, for the Indians, who had taken refuge in a rocky, inaccessible part of the country, remained unpunished and hostile.

Felipe de Neve never returned to California after this campaign, for he received an appointment as inspector-general of the *Provincias Internas* of Mexico, and Pedro Fages came to govern Alta California for a second term, this time as constitutional governor.

Death of Serra

It was during the first part of this second term of Fages that the colony suffered a heavy loss in the death of its founder and first president of the missions, Junípero Serra, whose busy life came to an end on August 28, 1784, at the age of seventy-one years, thirty-four of which had been spent as a missionary. All Californians, both the whites and the Christianized natives, joined in mourning the passing of this great man.

Serra left nine missions in a flourishing condition and the whole colony prospering. His immediate successor, Fray Francisco Palou, occupied the presidency of the missions for only about a year, which he spent chiefly in the preparation of his *Vida de Junípero Serra,* by which, and his *Noticias de La Nueva California,* he earned the right to be regarded as the father of California literature. Always more the writer than the missionary, he then asked to be relieved of the responsibilities of the office, and retired to the college of San Fernando in Mexico. He was succeeded by the brilliant and able Fray Fermín Francisco Lasuén, who, during his incumbency of eighteen years, labored actively to carry out Serra's plan for the extension of the missions. The history of California at this time, in fact throughout

the whole Spanish period, is in reality the history of the missions, for all else revolved around them, with the civic and military departments as mere adjuncts.

The rule of Pedro Fages, covering the second decade of Spanish occupation, came to an end in 1790, when, worn out by work and anxieties connected with his office, and harassed by the constant urgings of his wife to leave this rough frontier post and its discomforts, he offered his resignation. He leaves behind him the name of an honest man and dutiful official. He was succeeded by José Antonio Roméu, who took office on April 16, 1791. Roméu is said to have been a man of much ability, but he had slight opportunity to display it, for from the time of taking ship for his new command his health failed. He arrived in California already an invalid, and during the entire term of his office he was scarcely able to attend to his duties. He died at Monterey on April 9, 1792, and was buried in an unmarked grave at San Carlos. During his short term two new missions were founded—Santa Cruz and Soledad, respectively on September 25, 1791, and October 9, 1791.

José Joaquín de Arrillaga, Provisional Governor

Don José Joaquín de Arrillaga, who followed Roméu, served for two terms, the first as governor *ad interim* between the death of Roméu and the appointment of a regular successor. He left the position of lieutenant-governor of Baja California to take charge of the northern province. He was not only an efficient soldier, but a conscientious official as well, who labored diligently during his first term in straightening out the accounts of the presidios, which had got into a state of great confusion during the incumbency of the invalid Roméu. It was during this administration that the Englishman, Vancouver, made his famous visit to California, the details of which

will be discussed in a succeeding chapter. The first legislation against forest fires, always a terrible menace in California's rainless summers, was enacted in this period. Many complaints reached the governor of serious damage caused by the fires started every year by the Indians, Christian and gentile.

Diego de Borica, Promoter of Reforms

The new governor appointed to the regular term to succeed the deceased Roméu, Don Diego de Borica, reached Monterey in November, 1794. His name stands out prominently as one of the ablest and most progressive of the Spanish governors. He was a good soldier, an excellent administrator, and he displayed much initiative in proposing new measures. In addition to these good qualities, he was an agreeable man, fond of his jest, and so delighted with California that he never lost an opportunity to sing its praises. "To live long and without care come to Monterey," said he. "This is the most peaceful and quiet country in the world; one lives better here than in the most cultured court of Europe."

One of the first acts of the Borica administration was an attempt to inaugurate education in benighted California; but he met with little encouragement from either the government or the people. Ineffective as his efforts in that direction were, they are to be regarded as the precursors of the present magnificent school system of the State of California. This administration was a period of great prosperity and advancement for the missions. The governor was friendly to the friars, and, barring occasional disagreements, the two departments worked harmoniously together. It had long been the intention to found a series of new missions to fill the gaps between the old ones, some of which were to be located farther inland than the original line. The governor therefore

authorized President Lasuén to have the regions separating the old missions carefully explored for new sites. After a study of the situation it was decided that five new establishments could be founded and a great annual saving thereby made in the expenses of government. It was Borica's idea that the conversion of all the Indians west of the Coast Range would make it possible to reduce the number of guards, thus saving $15,000 yearly. Hitherto the missions had been isolated units; they were now to be linked together, by the founding of intermediate establishments, into one great chain, with the links near enough together for mutual help and encouragement.

Mission Expansion Under Lasuén

The five new missions established at this time were San José de Guadalupe, June 11, 1797; San Juan Bautista, June 24, 1797; San Miguel Arcangel, July 25, 1797; San Fernando Rey de España, September 8, 1797; and San Luís Rey de Francia, June 13, 1798. During this period the missions made giant strides, reaching the acme of their prosperity. Greater attention was given during Lasuén's rule to the instruction of the neophytes in artisan trades, as well as in agriculture and stock-raising. Carpenters, smiths, and masons were sent to the province at royal expense. It was chiefly in this time that the characteristic mission architecture was developed. The enterprising Governor Borica induced the missionaries and the inhabitants of the pueblos to experiment with hemp and flax, which later became profitable crops.

In government circles the years 1797, 1798, and 1799 were a time of great anxiety, on account of the increasing numbers of foreign ships that were beginning to arrive. California's peaceful isolation was rapidly coming to an end. The entrance of American vessels to take on wood and water caused alarm, and altogether conditions

were such as to wake up the authorities in Mexico to the need of better defences in California. News of the war between England and the American Union caused fears of attack on the California coast, and some feeble attempts were made by Borica to improve the defences. None knew better than he the hopelessness of making any real resistance in case of such an attack, but he took such measures as lay in his power. He issued instructions to those in command to resist as long as possible, if attacked, and then retreat toward the interior, driving all livestock before them and taking all other supplies, in order to prevent them from falling into the hands of the enemy. Nothing more was left him but to ask the padres for their prayers and such Indian soldiers as they could furnish.

Governor Borica played an important part in the erection of five new missions, repaired the fortifications at the four presidios, erected new batteries at San Diego and Yerba Buena, instituted irrigation works, kept faithful guardianship over the revenues, secular as well as ecclesiastical, and acted as censor of the public morals, besides doing all that he could for the encouragement of education. With all these multifarious duties, he found time for society, and by his genial personality, ably seconded by a charming wife and daughter, contributed to make this period probably the most interesting in the social history of Monterey. An important change recommended by him, and afterwards put into effect, was the final separation of Alta from Baja California. The arrangement by which the two provinces had been ruled since 1775 by a governor at Monterey and a lieutenant-governor subordinate to him at Loreto was found to be extremely cumbersome, especially in view of the slow means of communication between the two capital points. The dividing line was now fixed some miles below San Diego, which

afterwards took on great importance when the United States acquired possession of Alta California.

Diego de Borica was a man of great benevolence, integrity, and energy. The steadily growing matter of private land grants received a good deal of consideration from him. He was ever a firm and steadfast friend of the Indians, and did not wish them to be despoiled of what he believed to be their property. He was a just but merciful magistrate, and in consideration of the ignorance of the Indian offenders no capital punishment was inflicted even for murder, but only imprisonment and labor. He had come to California ambitious to make it a great and progressive country, and, although the apathy of the people prevented him from fully realizing his purpose, he succeeded in unifying its elements sufficiently to place it on a solid basis. At his retirement in 1800, Pedro de Alberni filled the office temporarily until the arrival of the regular appointee.

His successor as constitutional governor was José Joaquín Arrillaga, who, it will be remembered, had already acted as governor *ad interim* from 1792 to 1794. During Arrillaga's term there was perhaps less friction between the military and the religious branches of administration than at any other time, for he was particularly friendly to the missionaries, seldom interfering with their plans. He found the presidios and military establishments in a deplorable state, the buildings half ruined by wind and rain, the cannon rusted from exposure and disuse, the troops ill-mounted and badly equipped, spiritless and idle, but, such as they were, sufficient to keep down the miserable Indians. This condition is to be ascribed not to inefficiency on the part of Borica, but to the utter neglect of the central government to furnish any funds for the support of these establishments or to take any interest in them. The soldiers were often left

without pay for years at a stretch; General Vallejo considered it remarkable that they gave as good service as they did, under the circumstances.

It was during Arrillaga's time that Santa Inés Mission, September 17, 1804, nineteenth and last of the series established for purely religious purposes, was built. Other motives had some part in the founding of the two left to round out the chain of twenty-one—San Rafael, December 14, 1817, and San Francisco Solano, July 4, 1823—the first to serve as a health resort for San Francisco de Asis, and the last as an outpost against the feared advance of the Russians. With the death of Lasuén, who passed away on June 26, 1803, the great period of mission expansion began to decline; yet, notwithstanding the fact that fewer establishments were made in this first decade of the century, because of the great progress made by those already founded, and the large number of savages taken into the fold, this period is called by some historians the "Golden Age" of the missions. The founding of Santa Inés completed the filling up of the gaps between the older establishments and the spiritual occupation of the entire territory between the Coast Range and the ocean from San Diego to San Francisco. Citizens, government officials, and missionaries could travel comfortably from one end to the other of this long distance of five hundred miles and enjoy the hospitality of the missions every night, without being under the necessity, as had formerly been the case, of carrying heavy loads of provisions and sleeping by the roadside. The average distance from one mission to the next was about thirty miles, that distance being exceeded in only a few cases. Horses were plentiful, and it was always possible to procure fresh mounts without expense. As communication became easier, visitors came more frequently to the

missions, so that the isolation and loneliness of the friars must have been greatly relieved.

Exploring expeditions into the interior received much attention from Governor Arrillaga, partly to chastise the heathen natives, who were becoming troublesome. Much trouble was also experienced from the criminal element in the pueblos, especially at Branciforte, which was settled largely by convicts. Increasing anxiety was caused by the arrival of more and more foreign vessels. One of the principal events of this administration, and one which caused the governor much perturbation, was the arrival of the Russians in California in 1812 and their establishment at Fort Ross, to be discussed in a later chapter.

Altogether, the cares of office lay heavily upon Governor Arrillaga's shoulders, for he took his duties very seriously, and it was a weary man who laid down his burdens on July 24, 1814, when he died and was buried under the floor of the church at Soledad, now in ruins. Bancroft says of him, "He was a model of good conduct in all respects, but could make no claims to originality or greatness. He was a native of Spain, a tall, fair man with blue eyes, courteous, affable, and well educated in both French and Spanish—a man without an enemy."

Pablo Vicente Sola

The next governor to take the reins of government in California, after an *ad interim* of one year under José Argüello, was Lieutenant-Colonel Pablo Vicente Sola, an officer in the royal army of Spain. His arrival at Monterey was marked by illuminations and general rejoicings. There were feasting and dancing, exhibitions of horsemanship by expert riders, bull and bear fights, ending in a grand finale by the Indians, who gave their native dances dressed out in all the bravery of feathers, beads, and war

paint. It is believed that this fiesta was extended to the royalist governor as an expression of California's loyalty to Spain, at that time growing weaker in other parts of America.

Sola was as active in sending out expeditions into the interior as his predecessor had been. In his time much trouble was experienced from runaway neophytes joining the wild Indians and committing thefts of horses, and other depredations. By this time the government had practically abandoned its original design of extending its settlements into the interior, and now confined its operations in that region almost entirely to the punishment of depredations by the Indians; but they resulted, nevertheless, in the opening of the great Central Valley and the discovery of its chief geographical features.

In many other respects the new governor found a multitude of troubles awaiting him. His personal popularity was somewhat impaired by his rather haughty manners. He was proud of his Spanish birth and inclined to look with some contempt upon the Californians as both incompetent and untrustworthy, in which he scarcely did them justice. He was much angered at first by the general smuggling which he found going on between the inhabitants and foreigners; but when he saw the destitution of the people for want of clothing, furniture, tools, and other necessities, as a result of the failure of the supply ships to arrive during the rebellion of the colonies against Spain, his heart was touched, and he found himself forced to do the same as the other officials, that is, to wink at the smuggling.

At this point in the story of Don Pablo Vicente Sola, last of the Spanish governors, we come to a change in the political status of the country so momentous that it becomes necessary to defer the conclusion for later consideration. We leave him now, distracted by opposing

forces, struggling to avert the inevitable and to remain loyal to his king, and yet moved by sympathy for the suffering people in his charge.

Further details of events connected with the administration of the governors whose character and conduct have been briefly outlined here will be more appropriately given in the four chapters next succeeding, requiring some re-tracing of our footsteps.

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Chapter X

EXPLORATIONS BY SEA AND LAND

DURING the entire Spanish period active explorations by sea and land were carried on in California, with a view to the opening of the interior valleys and the reduction of the Indians inhabiting them, and the examination and charting of the northwest coast. In the sum of the great debt owing by the United States to the first white occupants of the country, nothing shows larger than these explorations, continued under Mexican rule, for they smoothed the way for settlement by farmers; for the working of the gold mines; and coast trade by vessels. The geography of the greater part of the State had been quite thoroughly mapped out by the time the Americans took possession, and the Indians had been pacified to a point where, with the exception of some of the far northern tribes not reached by the Spaniards, they caused little or no trouble. In short, important phases of the pioneer work had been practically finished.

Voyage of Juan Pérez to the Northwest Coast

Looking to the coast, we have already seen how the shores of San Francisco Bay and its environs had been examined and charted by Portolá, Fages, Anza, and Rivera from the land, and by Captain Ayala coming through the Golden Gate for the first time. Serra, with his usual foresight, suggested to the viceroy that the regular California supply ship might be used advantageously for geographical discovery on the coast north of San Francisco and the opening of a new field for spiritual conquest. Bucareli was all the more ready to lend an ear to

Serra's suggestions because of constantly renewed reports from Madrid of Russian designs upon that coast. He therefore decided it would be well at least to ascertain what the Russians were doing, and accepted Serra's recommendation of Captain Juan Pérez as leader of the proposed expedition, with the indefatigable Fray Juan Crespi and Fray Tomás de la Peña as chaplains. It will be remembered that Pérez was the commander of the famous relief ship *San Antonio,* which sailed into the harbor of San Diego just in the nick of time to save California from abandonment. He was a bold and experienced sailing master, well fitted to take charge of such an enterprise.

Accordingly, when the frigate *Santiago,* built expressly for the California service, sailed from San Blas on January 24, 1774, she carried not only the supplies for the northern province, but also a full equipment for the proposed voyage of exploration on the upper coast, including provisions for one year, a medicine chest, four boxes of beads and other articles for trade with the Indians. Captain Pérez was under instructions, after landing the supplies at Monterey, to run as far north as 60 degrees latitude, then to turn southward and make a thorough exploration of the coast, landing whenever possible and taking possession.

In this entire voyage the *Santiago* ran along an uncharted shore, where she was in constant peril of striking some island or rock and going to the bottom with all on board. Though opposed by constant northwest winds, Perez succeeded in reaching the northern point of Queen Charlotte Island, in 55 degrees, when he was compelled by the condition of his men from scurvy, cold, and exposure, to turn about and sail for home. Although the prevalence of fog, rain, and head winds made it impossible for this expedition to make a landing at any point,

Pérez made many observations and held frequent intercourse with the Indians, who came out in their dug-out canoes and bartered dried fish, furs, carved wooden boxes and images, mats of wool or hair, and other native products for articles offered by the Spaniards, particularly anything made of iron or copper. They came out to meet the ship singing and scattering feathers on the water in token of friendship. On one occasion, as they encircled the vessel in a fleet of twenty-one canoes, holding as many as 200 persons, the ears of the white men were stunned by the noise of their rude concerted singing and the thumping of their wooden drums.

This was the first undoubted discovery of the land known as the "Northwest Coast," and upon it was based the claim later set up by the United States as successor to Spain. On August 27, 1774, the storm-beaten frigate, with her sick and worn-out crew, dropped anchor in Monterey Bay. "Captain Pérez surveyed large portions of the two great islands that make up the coast of British Columbia; gave the first description of the natives; saw and described, though from a distance, nearly all the Washington Coast and that of a large part of Oregon; giving to his nation such territorial claims as may be founded on the mere act of first discovery. Later navigators do not deserve the credit of discoverers simply because they made more detailed examinations." This is Bancroft's summing up of the results of this expedition. Through the policy of Spain in keeping the accomplishments of this and other voyages secret for a long time, this brave captain, and others who followed him, were deprived of the glory to which they were justly entitled. Even the names given by Pérez to points on the coast discovered by him were discarded for those bestowed by Cook and other later explorers.

Voyage of Heceta and Bodega

Following close upon the heels of the Pérez expedition to the northwest came the second voyage of that epoch, under regular naval officers sent out by Spain. Four vessels sailed from San Blas in March, 1775, two bound for California with mission and presidio supplies, and the others for the far northern coast. Captain Bruno Heceta went as commander of the expedition, taking the staunch frigate of last year's cruise as his flagship. With the party went two bold young spirits, Juan Francisco de la Bodega y Cuadra and Francisco Antonio Maurelle—both ready to dare any danger to win glory and promotion in the king's service. Juan Pérez went as second in command on the flagship, and Fathers Campa and Serra, afterwards missionaries in California, went as chaplains.

For convenience of close survey near shore the schooner *Sonora* was taken along and placed under command of Bodega. This little vessel was only thirty feet long, twelve feet wide, and eight feet deep, with the deck room so limited that it permitted no opportunity for exercise, and the space below decks, the only shelter during storms, so low in the roof that the men could only remain in it sitting down. Only four of the crew were experienced sailors, the rest being farm laborers taken from the plow. It was in such a craft and under such unpromising conditions that these bold adventurers set out for unknown seas, with the goal set at 60 degrees north latitude.

The two ships for Monterey were soon left behind, and on June 7 the *Santiago* and the *Sonora* headed into a fine bay in latitude 42 degrees. Its green shores covered with grass, wild roses, iris, manzanita, yerba buena, and a thousand other plants, besides magnificent, tall, straight

pines, formed a prospect which "enchanted the senses, for the mixture of flowery and sweet smelling plants made the most delightful garden that could be imagined." On June 11 they went ashore and took possession in the name of the king, and as it was the day of the Holy Trinity they called it Trinidad, by which name it is still known. Friendly Indians, all dressed in gala array of wreaths of flowers and feathers, trooped to the beach and willingly assisted the strangers in taking on wood and water. They exhibited an intense desire to obtain iron in any form, so much so that the reverend narrator compares their fondness for this metal to the gold madness of civilized peoples. Farther north natives of a less friendly disposition were encountered, and at one place where a boatload of six Spaniards were sent ashore for water they were set upon by the Indians and cut to pieces before the eyes of their helpless companions on the ship, who had no other small boat in which to go to their aid. In fact, they had all they could do to save themselves, for the natives then went out in canoes and surrounded the schooner, being only driven off by the crew with musket fire.

In latitude 47 degrees 20 minutes a party from the frigate landed on the point now known as Cape Grenville, where they took possession with brief ceremonies. This date, July 14, 1775, is notable as marking the first landing on the soil of the northwest coast by Europeans. To Heceta belongs the honor of discovering the mouth of the Columbia River, on July 17, 1775, an honor which was falsely ascribed at a later date to the American Captain Robert Gray. On the night of July 30, in a storm of driving rain and mist, the two ships were separated, and they did not meet again until they reached Monterey on the return trip. The commander ran on in the *Santiago* until he reached 49 degrees 30 minutes, in the vi-

cinity of the present Nootka,[1] where, because of the miserable condition of the crew from scurvy, it was decided to turn about and head for Monterey, running in sight of land and exploring the coast on the way down. This they did, discovering many points and bestowing names upon them, which have not survived.

We must now return to the schooner, the tiny *Sonora,* which, though short of food and water and with a crew badly affected by scurvy, ran on as far as 57 degrees 58 minutes. The cold autumn rains had now set in, and the men began to suffer severely from insufficient clothing and the almost complete lack of shelter on the little vessel. Captain Bodega, much to his regret, was compelled to give the order to head the ship southward, and the perilous return voyage was begun on September 8. The trip was a stormy one and great seas rolled over the ship, carrying away everything movable and filling the hold with water.

On October 3 the weary voyagers found themselves in a bay about four leagues to the north of Point Reyes, on whose beautiful green banks bear and deer could be seen peacefully feeding. In honor of the captain of the ship the bay was named Bodega, a name which it still bears. The natives of the place welcomed the Spaniards with great hilarity, but the commander had grown wary since his experience in the north, so he kept his vessels out of their reach. On October 7 the *Sonora* sailed into Monterey Bay, where her crew were delighted to find their consort calmly riding at anchor.

Thus the whole extent of the northwest coast as far as 57 degrees 58 minutes was explored and formally taken possession of by Pérez, Heceta, and Bodega in

[1] Nootka is a harbor on the west coast of Vancouver Island, British Columbia. Its native name of Nootka was given to it by the English Captain James Cook, in 1778.

1774-75. Two days out from Monterey on the return voyage to San Blas Juan Pérez died, leaving behind him an honored name for his faithful and unassuming work for the good of the new establishments.

Nootka Sound Controversy

In 1788 rumors of Russian encroachments in the north, which proved unfounded, and in 1789 better authenticated reports of a British plan to occupy Nootka, brought about expeditions in those years under Estevan José Martínez, the second voyage being undertaken to prevent this move on the part of the English and to establish a Spanish post at that place. Spain prepared to defend its undoubted rights to the northwest coast up to 60 degrees by sending Martínez with orders to establish a fort and mission on Nootka Sound, as an indication of Spanish sovereignty in that region. His instructions were to win the Indians to friendly relations, to which end he carried articles for trade with them and friars to engage in their conversion.

At the sound he found several English vessels, the commander of one of which announced that he had orders from the king of England to take possession of the port and fortify himself there. Martínez, in clear fulfillment of his duty as a Spanish officer, then seized the English vessels and made prisoners of war of all on board, an act which very nearly led to armed conflict between the two governments. After further consideration the Spanish commander, fearing that he may have gone too far, released the vessels and then proceeded to take formal possession of the port himself. A settlement was maintained there for five years, and was regularly supplied by the California transports. Nootka was regarded, in fact, as simply an extension of the California establishments.

First Appearance of American Naval Vessels

While Martínez was at the sound he met the American ships *Columbia* and *Lady Washington,* under command of Captains Robert Gray and John Kendrick. Although relations between the Spaniards and Americans seem to have been extremely cordial, even leading to the belief that there was a secret understanding between them in regard to the English, yet this first appearance of the ships of the new republic caused great uneasiness to the Spanish government.

In 1792 an effort was made to settle this cause of controversy between Spain and England. In the spring of that year three vessels sailed from San Blas to Nootka, one of them bearing Bodega as Spanish commissioner. At Nootka he met George Vancouver, the commissioner sent to present Great Britain's side of the question. It proved too complicated for the two officers, however, and they finally sailed southward, leaving the whole matter to be settled by their respective governments. In 1792 Spain also made one more effort to settle once and for all the question of the existence of a northeast passage, the long-sought Strait of Anián, by sending the ships *Sutil* and *Mexicana* to explore the Strait of Juan de Fuca. This expedition marks the end of Spanish explorations in the north Pacific.

Signing of the Nootka Convention

On January 11, 1794, the Nootka Convention was signed at Madrid by the British and Spanish ministers. By its terms the subjects of both nations were to be free to occupy the said port as might be convenient, and to erect temporary buildings for their accommodation during their residence there; but neither was to make any permanent settlement or claim any right of sover-

eignty or territorial dominion to the exclusion of the other. By this treaty Spain yielded forever its exclusive claim to sovereignty on the northwest coast as founded on prior discovery. It was a case of "might makes right." England declined to admit any investigation or discussion or arbitration of Spanish claims in the matter and carried its point by superior strength, without due regard for right or justice. In 1795 both the Spanish and English settlements at Nootka Sound were abandoned. It was Spain's first step backward; its ancient glory was beginning to dim.

Opening of the Great Central Valley

Spanish occupation of the territory of California was limited at first to the coast region extending from San Francisco to San Diego. Soledad was the farthest inland settlement in the province, and it was only thirty miles from the sea. The vast interior, that magnificent sweep of valley lying between the Coast Range and the Sierra Nevada, where countless herds of antelopes grazed on the wild oats, was *tierra incógnita,* and was often so spoken of in the documents. But they knew of its existence, and the missionaries had already cast longing eyes in that direction, for it was known that a great harvest of souls lay ready there for the reaping. The southern part was better known than the northern through the various expeditions backward and forward between the Colorado River and the new province. In 1774 Anza crossed the desert diagonally from southeast to northwest, and in 1775 he brought the first colonists to California by the same route. The famous priest-explorer, Fray Garcés, once went across the mountains almost to Lake Tulare, thus exploring what is now Kern and San Bernardino counties.

After Anza's time most of the information gained

about the interior was acquired in searching for new mission sites or in pursuit of run-away neophytes from the coast missions. Besides religious zeal there were other reasons why it was eminently desirable to Christianize the large body of natives in the valleys. The coast settlements were threatened with the scourge of an Apache-like warfare, for these Indians were bolder and more aggressive than some of the other tribes of California. Gabriel Moraga, who is the outstanding figure of the expeditions into the interior, took part in as many as forty-six campaigns against the Indians, in which he penetrated into the foothills of the Sierra Nevada. The footprints of the Spaniards in these forays can still be traced by the names bestowed by them upon principal geographical features, especially rivers. The stream now appearing under the Anglicized form of Kings, was explored and named *El Río de los Santos Reyes* (the river of the Holy Kings). *Mariposa* (butterfly) County is so called from the name given to a stream because of the multitude of butterflies seen at that place by the Moraga party of 1806. *El Río de Nuestra Señora de la Merced* (the river of Our Lady of Mercy), now known by the abbreviated form of Merced, was so called as an expression of joy and gratitude by the explorers at the sight of its sparkling waters after an exhausting march through an arid land. The same expedition of 1806 named the *Calaveras* (skulls) River from the great number of skulls seen scattered along its banks, doubtless relics of a great battle among the aboriginals for the possession of the "salmon water," as they called the fish-bearing streams. The stream which now bears the name of the Feather River was called *El Río de las Plumas* (the river of the feathers) by Lieutenant Luís A. Argüello, who gave it this name because of the great number of feathers of wild fowl seen floating on the sur-

face of its waters. By an inconsistency, the county has retained the original Spanish form of its name, *Plumas,* while that of the river has been translated into the English form of Feather.

Gabriel Moraga, Pathfinder

It would be impossible to recount here in detail all the expeditions undertaken by the indefatigable Gabriel Moraga, but enough has been said to make it clear that he is entitled to be called the hero of the opening of the great valley. He is described by a contemporary as a tall, well-built man of dark complexion, brave, gentlemanly, and the best Californian soldier of his time. Bancroft speaks of him as "honest, moral, kind-hearted, popular, and a very energetic and successful officer." He came to California with the second Anza expedition, and lies buried in the graveyard of the Santa Barbara Mission.

All of the Spanish governors were active in carrying on these explorations, which were continued under the rule of Mexico, but for a different purpose, for by that time the ardor for colonization had been somewhat cooled by political events of a pressing nature. Expeditions during the Mexican period were chiefly carried on to recover stolen animals and to put down Indian uprisings. No towns or missions mark the long weary marches into the valleys, and only the names—so suggestive of another time and another race—remain to commemorate the arduous labors of the first explorers. Some of these names were afterwards immortalized by American writers—by Bret Harte in his poem, *The Society upon the Stanislaus,* and Mark Twain in his story of *The Jumping Frog of Calaveras.*

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Chapter XI

APPROACH OF THE STRANGER

Spain's Exclusive Policy

FROM the time when Vasco Nuñez de Balboa knelt on a mountain top on the isthmus of Panama in 1513 and in grandiloquent phrase took possession in the name of the Castilian monarchs of all the seas, lands, coasts, and islands bordering upon the great ocean which he had just discovered, Spain jealously guarded what it firmly believed to be its sole right by discovery to all the dependencies of that ocean, "now and for all time, while the world lasts, and till the day of judgment." Fear of the intrusion of other nations led to a narrow policy in opposing the entrance into the newly discovered ocean even of trading vessels. This policy retarded the development of California for years, but the time inevitably came when the resistless power of trade broke down the sea wall which Spain had set up against it, and gradually opened the country on that side to the approach of strangers.

For the first sixteen years of the history of Alta California as a Spanish province its isolation was almost complete. Its geographical separation from the other colonies of Spain in America made communication even with them infrequent, and except for the supply ships from San Blas and an occasional visit from the Manila galleon, it had no means of hearing from the outside world. Although fears of foreign encroachments, especially by the Russians, were always entertained in Spain and Mexico, in California they occasioned little anxiety. The people continued to live their calm, uneventful lives,

almost as indifferent to events in Europe as though they were on another planet. They knew the name of their king and that of their pope—not much more, except that they were called upon to contribute to the cause of the mother country when it engaged in war with England, even the poor Indians of the missions being required to give their mite. The Californians were so ignorant of what was occurring even on their own continent that they seem not to have known anything about the great conflict between England and its colonies on the other side until long after it was over.

Influence of Captain Cook's Visit

The empire of Spain in the Pacific was to receive its first real blow in 1778, when the English navigator, Captain James Cook, came from the Hawaiian Islands, which he discovered, to the American coast. Stopping at Nootka Sound, he picked up some furs, which he afterwards disposed of in China at such high prices as to attract world-wide attention. This accidental circumstance was the crux of Cook's whole expedition, for from it originated the great fur trade of the Pacific Coast which brought a swarm of European and American ships to these regions in the last fifteen years of the century. The quiet waters of California, so long virgin to all but Spanish keels, were soon to be invaded by a strange craft, and the inhabitants of the sleepy little settlement at Monterey were about to make their first acquaintance with the subjects of a foreign power.

The prompt publication in Europe of the results of Cook's voyage and his discovery of the fur-bearing animals on the northwest coast of America drew the attention of the government of France, as well as that of other European countries. In August, 1785, the distinguished French scientist and navigator, Jean François

Galaup de la Pérouse sailed from Brest in the frigate *Boussole,* accompanied by the *Astrolabe* under Monsieur de Langle. The objects of the expedition were geographical, scientific, and commercial; and in addition to making a scientific survey of the flora, fauna, native population, and geology of new lands, the commander was under orders to make inquiries looking toward establishing an interest in the fur trade. On September 15, 1786, he anchored in Monterey Bay among a great school of whales which came boldly within pistol-shot to spout vile-smelling water round about the ships. News of the projected visit had already reached the place, and the authorities had already received orders to accord the foreigners the same welcome as vessels of their own nation. The two kindred nations being then on cordial terms, the Frenchmen were received with open arms, their hosts lavishing true Spanish hospitality upon them.

During the ten days' stay of the French vessels, occupied by their crews in taking on wood and water, and by the geologists and botanists in collecting specimens and making drawings, the Spaniards busied themselves in loading the visiting ships with prodigal supplies of cattle, vegetables, milk, poultry, hay, and grain, for none of which would they accept one *peso* in recompense. Overwhelmed by this generosity, the visitors endeavored to reciprocate with presents of cloth, blankets, beads, tools, and, above all, with seed potatoes from Chile, which they rightly believed to be "not the least of their gifts, and that the root would succeed perfectly in the light and fertile soil around Monterey." This was the origin of one of the large and profitable industries of modern California.

Observations of La Pérouse

The report of this first visit of foreigners to California is remarkable for its accuracy, comprehensiveness, and

fairness of criticisms on the province and its institutions. The country itself received the highest praise for its inexpressible fertility, and its mild climate, resembling that of southern France. The French scientist found little to praise in the aboriginals, physically, mentally, or morally. He rated adults among them at the mental level of white children of five years of age. In the community system of the missions he saw much to condemn, believing it to be contrary to the principles of civilization and the proper development of individualism and self-reliance among the natives. While he testified most generously to the high purpose and sincerity of the missionaries, he thought they erred in judgment in attempting to enforce a monkish life upon these wild people.

The Frenchmen, having finished their observations and charted the coast, prepared to renew their cruise to the undiscovered places of the world, for it was their intention to avoid the beaten track followed by vessels on the Pacific, and to seek out new lands not before touched by Europeans. It was with sincere regret that the Spanish inhabitants of the presidio and mission bade farewell to that kindly, courteous gentleman of France, Monsieur de la Pérouse, and his ships' crews. Comandante Fages emptied his poultry yard to supply the hen-coops of the departing vessels, while the fathers at Carmel Mission stripped themselves of all but what was absolutely necessary for their subsistence.

On September 24 the *Boussole* and the *Astrolabe* lifted anchor and sailed out upon the long swell of the Pacific, leaving the Californians to sink once more into their accustomed sleepy solitude. The farewell turned out to be eternal, for, after a letter dated February 8, 1788, at Botany Bay on the coast of Australia, giving the news of the death of Monsieur de Langle and eleven of his men at the hands of the natives of the Navigator Islands,

nothing more was ever heard of the gallant commander and his corps of scientists and sailors. It was not until 1825 that the wreckage of what must have been the two French ships was found on the reefs of Vanikoro, an island to the north of New Hebrides. Had it not been for the forethought of La Pérouse in forwarding the installments of his journal to France at every port where opportunity offered, the records of this highly important voyage would have been lost. This expedition is notable not only as the first break in the isolation of California from the outside world, and the first scientific description of the country and its inhabitants, but because information brought by it of Russian settlements in the north caused a renewal of Spanish activities in that direction, resulting in the succession of voyages sent out at intervals up to the year 1792, of which we have already heard.

George Vancouver's Call

It will be remembered that in the preceding chapter mention was made of the meeting at Nootka Sound between the Spanish commissioner, Bodega, and George Vancouver, and their failure to settle the matter of the possession of that port, which was then turned over to their respective governments. Vancouver, who had been sent out in 1792 by the English government on an exploring expedition around the world, had orders not merely to settle the Nootka Sound controversy, but also to explore the entire coast, to examine into the extent of Spanish possessions, and to seize all unclaimed territory. Crossing over from the Sandwich Islands, as they were then called, he made his landfall on the California coast just below Cape Mendocino and sailed northward from that point. After his fruitless meeting with Bodega at Nootka, he ran down the coast without anchoring, and on November 14, 1792, entered San Francisco Bay in the

sloop-of-war *Discovery,* anchoring in front of Yerba Buena Cove. Notwithstanding the somewhat strained relations between the two governments over the affair at Nootka, he met the most cordial reception; every attention was shown him by Comandante Sal and his wife and the friars at the mission. Feasts were made for him both at the presidio and the mission, and meat and vegetables were sent aboard.

An invitation having been sent them to visit the Santa Clara Mission, the party, attended by a number of spare horses and a guard of seven stout soldiers from the presidio, set forth. The picturesque cavalcade galloped along the *camino real* through the delightful valley, flanked on either side with a rampart of misty mountains just turning green. At noon they had reached "a very pleasant enchanting lawn situated amidst a grove of trees at the foot of a small hill, by which flowed a stream of most excellent water." Here, under a green bank overhanging the murmuring brook, they partook of delicious refreshments furnished by their San Francisco friends, and so charmed were they with the spot and the serene November weather that they were loath to leave it. They observed that the country was like a park, with very little underbrush, and that

> The stately lords of the forest were in complete possession of the soil, covered with luxuriant herbage and beautifully diversified with pleasing eminences and valleys; which, with the range of lofty, rugged mountains that bounded the prospect, required only to be adorned with the neat habitations of an industrious people to produce a scene not inferior to the most studied effect of taste in the disposal of grounds.

The Vancouver party were the first foreigners to penetrate so far into the interior, and they seem to have been deeply impressed with the attractive qualities of the land. After a most agreeable visit with the padres at Santa

Clara, they returned to San Francisco, and, after returning hospitality as far as they could with presents of culinary and table utensils, bar iron, and ornaments for the church, lifted anchor and sailed out of the bay, which they declared to be "as fine a port as the world affords."

Having now been joined by the consort ship *Chatham,* the *Discovery* ran on in her company to Monterey, where they were received with the same friendly cordiality. At the mission the fathers had constructed a bower of green branches in the garden for the occasion, and in it an excellent repast was laid out for the entertainment of the foreign guests. These hospitalities on the part of the Spaniards were returned by a dinner aboard the *Discovery,* followed by a picnic in the garden of the presidio, the festivities ending with a grand display of fireworks furnished by the visitors, to the delight of the Spaniards and the astonishment of the Indians. There was deep sorrow on both sides when the English ships sailed away.

On Vancouver's second visit to California in 1793, he was greatly surprised and offended to find that he was not to receive the same royal welcome as on the first occasion. Acting-Governor Arrillaga, who was filling in the term until the arrival of a successor to the recently deceased Governor Roméu, was much annoyed when he found that the foreigners had been permitted to penetrate so far into the interior, and, above all, to observe the weakness of Spanish coast defenses. Vancouver had indeed kept his eyes open, for he remarks, "The only defenses against foreign attack are a few poor cannon, inconveniently placed, at San Francisco, Monterey, and San Diego."

Leaving Monterey in high dudgeon over what he regarded as the humiliating restrictions now placed upon him, he ran on down the coast, making observations on the way and naming a number of points in honor of the

Spanish officers and padres from whom he had received generous treatment. Many of these names—Points Sal, Argüello, Vicente, Dumetz, Fermín, Lasuén—have been retained, and are in fact the chief souvenirs of the visit of the distinguished Englishman to the coast of California. In his journal we find the following judgment of the accomplishments of the Spaniards, which, in the light of subsequent events, takes on the guise of prophecy:

> The Spaniards, in doing thus much, have only cleared the way for the ambitious enterprises of those maritime powers, who, in the avidity of commercial pursuits, may seek to be benefited by the advantages which the fertile soil of New Albion seems to afford. They stocked the country with cattle, demonstrated the fertility of its soil, showed by experiments what an unusual variety of vegetable products could be grown, and to a certain extent weaned the savages from an uncivilized life. All these matters would be valuable considerations to new masters, to whose power, if properly employed, the Spaniards would have no alternative but to submissively yield.

They did all, in fact, to prepare the field for their successors except to uncover the gold in the depths of the mountains, and they had even shown its existence.

During the short term of Roméu California received a visit from a scientific exploring expedition sent out by Spain under Alejandro Malaspina in the *Descubierta* and the *Atrevida.* This expedition is notable as having brought to California the first American to land on its shores—who came to remain, for his burial is recorded on the mission register of date of September 13. His name is given as John Groem (possibly Graham) and he was a sailor from Boston who had shipped as gunner with the Spanish expedition at Cádiz.

Activities of Whaling and Trading Vessels

The year 1796 was marked by the coming of the first United States vessel to anchor in a California port. The

Otter of Boston, Captain Ebenezer Dorr, after taking on wood and water at Monterey, secretly landed ten men and a woman on the Carmelo beach at night, forcing them from the boat with a pistol. They were convicts from Botany Bay, who had made use of the *Otter* as a means of escape. Governor Borica was much offended at what he regarded, with some justice, as a dishonorable trick on the part of the Yankee captain; but, finding it necessary to provide for the newcomers, he set them to work as carpenters and blacksmiths at 19 cents per day, and they turned out to be so industrious and well-behaved that he would have been glad to keep them in the country had not royal orders obliged him to start them on their way to Cádiz the next year. Near the end of 1798 four sailors who had been left in Baja California by the American ship *Gallant* were brought to San Diego and set to work while awaiting a vessel to take them to San Blas. In May, 1799, James Rowan in the *Eliza,* an American ship, anchored at San Francisco and obtained supplies under promise not to touch at any other port in the province. In August, 1800, the American ship *Betsy,* Captain Charles Winship, obtained wood and water at San Diego.

During the revolutionary years between 1810 and 1826, when all Spain's American holdings except California were rebelling against it, the coming of the supply ships was stopped by the insurgents, causing extreme destitution in the northern province. This was the opportunity of the American traders, who increased rapidly during this period, and grew bolder in their operations. Stringent regulations were passed to prevent intercourse between them and the people; but necessity knows no law, and a flourishing contraband business sprang up. The people and the missionaries hailed the arrival of one of these ships with joy, and the officials interposed but a

spasmodic interference, for their own wants were nearly as dire as those of other classes. In the bare and comfortless homes of the colonists there was need for many things, and the temptation presented by the "Boston Ships" was irresistible. Otto von Kotzebue, the Russian sailor-scientist, who made two visits to the coast during this period, says the people were almost entirely without clothing, and "that it was truly lamentable to see this beautiful country thus neglected." In 1817 James Smith Wilcox, described as a typical Yankee trader, long, lean, and lank, dressed in a beaver hat and swallow-tail coat, excused himself for his smuggling operations on the ground that he had in that way "served to clothe the naked soldiers of the king of Spain, when for lack of raiment they could not attend mass, and when the most reverend fathers had neither vestments nor vessels fit for the church nor implements wherewith to till the soil."

The success of the American and English trading vessels in waters which Spain had so long regarded as its special domain now and then roused the viceroy to issue strict orders aimed to put a stop to it, but, since he furnished no forces nor means for carrying them out, the *comandantes* were hardly able even to obstruct it. When Arrillaga arrived in 1806 as the regularly appointed governor he came with his mind made up to resist this foreign traffic. He issued instructions to the *comandantes* of the presidios to forbid all intercourse between the people in their districts and the traders, even to detain the ships in port if necessary. The crew of one ship, the *Peacock,* were actually seized and sent to San Blas as prisoners. Shots were exchanged between the *Lelia Byrd* and the guards at Point Guijarros, but no one was hurt, and the very next year the *Lelia Byrd* was back again and doing a rushing business with the missionaries and others for furs. The complete story of the "Boston Ships" would

require more space than is available here. They were the chief factor in breaking down the exclusion wall set up by Spain on the sea side of California.

Another link connecting the Atlantic coast of North America with the Pacific was forged by the whalers. Coming down from the Arctic with their catch, they found California a most convenient port of call for the purpose of repairing their battered ships and taking on a supply of fresh provisions to last them on their homeward journey around the Horn. Richardson's Bay at San Francisco was the usual rendezvous for these vessels, which made their presence known for miles around by their fishy odor. The Californians had little use for money, so the whalers carried New England goods to exchange for provisions with the inhabitants of San Francisco and Monterey. In addition to the food supplies the crews carried back with them a fairly accurate knowledge of the entire west coast, and many a glowing tale of the charms of California.

A third channel through which commerce was opened with the long-isolated province was the "hide and tallow trade," of which there has already been some discussion in a preceding chapter. So prodigious had been the increase of the small bands of cattle and horses brought up in the first days of Spanish occupation that they had become almost a menace. Until the attention of outsiders was attracted to this wasted source of wealth these animals sold for a mere trifle. A passably good horse could be bought for three dollars, less than the saddle and bridle to equip him. Finally reports of the California herds reached South America, and in 1813 the Lima trade was established by the arrival of the *Flora* and the *Eagle,* which brought up cargoes of cloth and a variety of manufactured goods to exchange for hides, tallow, grain, wine, and other products of the missions. It was not long be-

fore the Yankee traders began to take a hand in this new business in hides and tallow, which developed into the only large and important enterprise ever engaged in by the Spanish-Californians.

Land Barriers Broken by Fur Hunters

While these bold adventurers of the Pacific were opening wide the sea gates to the golden land, a hardy band of fur hunters and trappers were breaking down the barriers of burning desert and snowy mountains that had so long guarded it from invasion on the east. This great movement is admirably delineated in *California's Story*, by Bolton and Adams:

> Finally, across the Sierras came the American hunters. Ever since the founding of Jamestown and Plymouth the English people in America had been "going west." Bear and bison, forest and Indian, Frenchman and Spaniard, all gave way to their onward march; nor were they stopped by rugged mountain or swollen stream. Trapper and explorer, lumberman and miner, cowboy and farmer, on they came, slowly at times and again by leaps and bounds. At the head of the procession were the hunters and trappers. Crossing the Atlantic slope, they threaded the passes of the Allegheny Mountains, poured into Tennessee, and crossed the Mississippi. The way was now obstructed in the southwest by the Spaniards, and in the northwest by the British fur traders. But like a great wedge the American trappers pushed in between them. The center from which most of them started was St. Louis, then the great fur market. From there they made their way to Oregon, to the Utah Basin, and to New Mexico. Finally they found the passes of the Sierras and entered California.

This overland communication with California established by the hunters and trappers over all the routes since followed by the great highways of commerce naturally led up to the subsequent immigration from the western states, which exerted a powerful influence in the transfer of the province to the flag of the United States. Year by year these pioneers struggled onward toward the

setting sun, overcoming obstacles even greater than the storms and scurvy endured by the sailors in the Pacific. The expeditions directly leading to California did not begin until 1826, when the great barrier of mountains and desert, once thought impassable, was first surmounted by Jedediah Smith. From that date the advancing overland army of foreigners rapidly increased until it ran into the thousands. Their detailed story must be left for a later chapter; it is enough to say here that the same influence which operated to open the gates to California on the west flung them wide on the east—the powerful, irresistible movement of commerce.

The same power made its way down the coast from the frozen north to semi-tropical California, in the form of the Russian hunters and trappers. In 1745 the first permanent establishment was made by the Russians on the coast islands of Alaska in the interests of the fur trade, presaging their advance upon California, so long dreaded by the Spaniards. Since they were the first foreigners to break down the guard of Spain and establish themselves on the soil of California, the succeeding chapter will be devoted to them.

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Chapter XII

ARRIVAL OF THE RUSSIANS

THE nightmare of the Russian bear ambling down the coast from the icy north, which had kept the Spaniards terrified for so many years and was the direct cause of the occupation and settlement of Alta California in 1769, at last came true. The Russians were indeed destined to play an interesting if not a decisive part in the story of the Golden State; but when they came it was not with sword in hand and threatening aspect, but as peaceful traders, who won tolerance, if not welcome, from the Spaniards by furnishing them in spite of themselves with many things that they required. In fact, California depended for some years upon these neighbors, who established themselves uninvited within its territory, for necessities and luxuries which the turn of political events prevented it from receiving from its own superior government. They came to annoy and to serve it at the same time.

Vitus Bering

The first advance upon the American coast by the Russians, following the conquest of Siberia by the Cossack hordes under the robber chief Yermak, was made by Vitus Bering when in 1728 he discovered the strait separating the two continents, and twelve years later landed on the coast of Alaska. The few skins of fur-bearing animals carried out by Bering's men gave the first news to the world of the rich treasure waiting in the ice and snow of the northern seas for those bold and brave enough to seek it. The first permanent establishment was made on the coast islands of Alaska in 1745, giving,

as we have already seen, an impetus to the Spaniards, which brought about the settlement of Alta California. From that time voyages of exploration to the Alaskan islands were frequent and progress in settlement was constant, though not rapid, down to and beyond 1769, the date of the Spanish advance northward into California.

The Russian-American Fur Company

During the first years of this business it was conducted by hunters individually or in small parties, a sort of privateering; but in time they banded together for convenience and safety in companies, which in 1799 were all absorbed in the gigantic monopoly destined to rule these shores for many years—the Russian-American Company. The direction of the American branch of the company was placed in the hands of Alexander Baránof, a man of elemental faults and virtues which fitted him well for leadership in that land of harsh, rugged, and grandiose effects.

A trading station was established at Sitka, but the population in the colony increased but slowly. Furs of the most valuable kinds were collected in abundance, and the business of the company was immensely profitable from the beginning. The heaviest burden that lay on the shoulders of Baránof was the providing of food. The cold climate and barrenness of the country about Sitka made it out of the question to raise anything there. Transportation through Siberia was slow and difficult. The voyage around Cape Horn could be made only at long intervals. So it often happened that the fur hunters in the midst of riches found themselves on the verge of starvation. In this emergency they were very glad to purchase such supplies and other needed articles as they could from American ships which occasionally penetrated into northern seas. Doubtless they listened eagerly to

the alluring reports brought by these Yankee traders of California and its wealth of wheat and corn.

In 1803 the American Captain O'Cain, after selling to Baránof goods to the value of 10,000 roubles, persuaded him to furnish a company of Aleuts, natives of the Aleutian Islands, with their *bidarkas* (skin canoes), to go to California and hunt otter on shares. Baránof agreed to this proposal with some reluctance, foreseeing danger in admitting foreigners to the fur trade; but he had heard wonderful tales of the abundance of otter in the south, and was, besides, anxious to secure information about California. This voyage, which was most profitable, was the beginning of the contract system by which in partnership the Russians and Americans hunted the otter on the southern coasts for a decade or more. The furs were secured partly by the aid of skilled Aleut hunters and partly by contraband trade with the Californians themselves for the goods which the ship carried. Yet notwithstanding the large number of skins obtained in this way, the Russian company finally came to realize that it would have been wiser if it had kept the fur trade exclusively in its own hands and always paid cash for such goods as it needed, for the sharp practice of the Yankee captains in charging them exorbitant prices for the skins and arousing the animosity of the Spanish authorities caused them much trouble and loss.

Not only was the contract system used, but the company sent its own hunters farther and farther south toward California until they penetrated even into the bay of San Francisco, to the great exasperation of the Californians, who had not even a boat with which to repel their operations. As early as 1803 there was complaint that these hunters were infesting the coast.

Advance on California

The first event leading to the actual settlement of the Russians in California was the sailing to that country in 1806 of Nikolai Petrovitch Rezánof, chamberlain to the Czar, who had been sent out in 1805 by the Imperial Russian-American Fur Company to inspect the condition of the colonies in the North Pacific. On his arrival at Sitka he found the little settlement in the first stages of starvation, reduced to eating crows, devil-fish, or anything that could be swallowed. One of the supply ships had been wrecked and another had failed to make its usual trip. In this emergency, Rezánof decided to take the American ship *Juno,* which he had bought from its owner, Captain Wolfe, and run down to the California coast in quest of supplies. Accompanied by the surgeon and naturalist, Dr. Georg Heinrich von Langsdorff and Lieutenant Davidoff, with a crew already sick with scurvy, he sailed from Sitka on March 8, 1806.

Nikolai Rezánof and Concepción Argüello

Rezánof was hospitably received by the Californians, but Governor Arrillaga was deeply troubled in his mind at the idea of furnishing the required supplies without permission from his government, an act which he thought would savor of disloyalty. At this point a new and interesting element was injected into the negotiations in the form of a love affair which arose between the handsome and fascinating Russian ambassador and the daughter of the *comandante* of the port, Concepción Argüello, described as a beautiful and vivacious maiden of about seventeen years. The private correspondence of Rezánof with his government offers the suggestion that diplomacy as well as love entered into this celebrated romance, but there is no reason to think that his affections were not

genuinely involved. However that may be, the betrothal of the couple, obtained with some difficulty from the parents, the governor, and the friars, all of whom had to give their consent, placed Rezánof in such a position that, as he says, "From this time I managed this port as my interests required." As an accepted suitor for membership in the *comandante's* family, he had no trouble in persuading the governor to agree to furnish the much needed supplies for the starving colony at Sitka.

The *Juno* was quickly laden with wheat, barley, peas, beans, tallow, and dried meat, and on May 8, 1806, Rezánof sailed away, while the whole Argüello family waved a farewell from the fort. The understanding when he left was that immediately upon his return to St. Petersburgh he would go to Madrid as ambassador extraordinary from the Imperial Russian Court, in order to obviate every kind of misunderstanding between the two powers. Thence he would proceed to Vera Cruz or some other Spanish harbor in Mexico and finally come on to San Francisco to claim his bride and settle all matters relative to the commerce he so much wished to promote. The farewell turned out to be an eternal one, for the departing lover never returned to California, and after thirty-six years of waiting for news of him, Señorita Argüello, who finally took on the vows of a religious order, learned of his death on the cold steppes of Siberia while on the way from California to St. Petersburgh. This sad romance of love and diplomacy was used by Bret Harte as the theme of one of his poems.

Of greater importance to California in general than the love affair of Rezánof was the determination which he made while here to establish a Russian colony in its territory, as the only practicable way of taking advantage of its fertility and mild climate. Although the immediate object of his voyage was the obtaining of food supplies to

relieve the scarcity at Sitka, his plans looked beyond such a purpose. He hoped eventually to acquire for his country all territory from San Francisco Bay to the Columbia. In this man love of country was a sort of passion, and he had a head full of schemes for its advancement. His ambition vaulted far above the mere occupation of unsettled territory; he hoped in time to extend the Russian power gradually southward and finally to wrest Alta California from Spain. The Russians held that Spain's claim to the coast above San Francisco was slight, because of the abandonment of Nootka Sound; and that by the treaty with England "all parts north of San Francisco were thrown open to the subjects of both nations for free and unrestricted trade."

While in Sitka on his return voyage, Rezánof succeeded in enlisting the interest of Baránof in his plan to establish a base of supplies in California, and in 1809 an officer of the company named Kuskof was sent to select a favorable site for the settlement. He made his landing at Bodega Bay, which he reported to be a good harbor, fine building site, and to possess tillable lands, a mild climate, and an abundance of fish and fur-bearing animals. In 1812 the same officer was sent back, this time with a full equipment for a trading station and a number of Aleuts for fishing, in fact, prepared to found a permanent settlement. No pretence was made of consulting the government of Spain, which claimed the territory in question through right of discovery.

Founding of Fort Ross

A site was selected for the fort eighteen miles north of Bodega on a bold plateau rising from seventy-five to one hundred feet above high tide. A rectangular fort surrounded by a strong palisade with bastions at the corners and pierced for cannon was built and mounted with ten pieces. Inside of the stockade a house of six or eight

rooms comfortably furnished with carpets and piano, and boasting of the luxury of glass windows, was built for the officers. In one corner of the enclosure was a chapel, with a round dome and a belfry with chimes, being the first church built in California north of San Francisco Bay. Granaries, workshops, and redwood huts for the Aleuts were constructed outside the stockade, and on the beach there was a wharf, a tannery, a bath house, and a shed for the *bidarkas*. The stockade and fort were so solidly built as to be practically impregnable to attacks by natives or Spaniards. This place was called "Ross," from the root of "Russia," a word of very ancient origin. It is still known as Fort Ross. On account of the lack of a good anchorage here, warehouses for the storage of goods were built at Bodega, where the Russian ships wintered and made repairs. Vegetable gardens were started and were very successful, but the Russian fishermen-farmers never did well with wheat, and were finally compelled to call upon the Californians for their grain.

On September 10, 1812, the fort was completed and dedicated with great festivities. While Kuskof was building it the Spaniards at San Francisco learned of his presence and sent Sergeant Moraga to investigate. The Russians, whose sole object was to placate the Spaniards, allowed the emissary to inspect the fort, and asked to establish trade relations with their new neighbors. Moraga, on his return, told of his courteous reception by the Russians and reported that they needed food. In January, 1813, he returned with three horses and twenty head of cattle, and limited permission to trade from Governor Arrillaga. Since foreign ships were forbidden to enter any California port, arrangements were made to evade this order by transferring the wares to row-boats and delivering them in this manner.

The trade thus established was continued, though with

reluctance and much perturbation on the part of the Californians, throughout the stay of the Russians on the coast. There is nothing in the Spanish records to show that formal permission was ever given to the Russians to settle in the country or to trade with the people. As soon as the viceroy received Arrillaga's letter informing him of the arrival of the foreigners he sent instructions to the governor to notify Kuskof that his occupation of California territory was a clear violation of the treaty between Russia and Spain, and requesting him to remove immediately his settlement. But Baránof and his lieutenants knew of the weakness of the California military establishments and that they could hardly expect aid from Mexico in that troubled time. They knew that Arrillaga was in no position to enforce the viceroy's order, so all they had to do was to sit tight and keep on offering the merchandise of which the Californians were in sore need on account of the stopping of the supply ships by the insurgents against Spain.

Many communications were held between the two parties to the controversy concerning the right of the Russians to be in California, but nothing definite came of them. Now and then Governor Sola, less friendly to the Russians than Arrillaga, who had retained a soft spot in his heart for them since his acquaintance with Rezánof, sent notice to them to leave the country, but they paid no attention to the notices, which Sola had no means to enforce The colony prospered and did a good business with the Californians in furnishing all kinds of manufactured articles of iron and wood or leather. Quite often it happened that even the officials would have had to go without shoes had it not been for the trade with the Russians. Various trades were carried on at Fort Ross, such as tanning hides, making brick and tiles, rope from home-grown hemp, barrels and kegs. There was even an

attempt at ship building, and four good-sized vessels were constructed, but it was eventually found cheaper to buy vessels from the Americans than to build them at Ross. Flower gardens were planted, for which roses and other plants were brought from San Francisco, and in every way efforts were made to give the place a look of permanence.

It was, in short, a busy and orderly community, for though many of the laborers were of a low, even criminal class, discipline was strict, temptations were few, and all classes preferred life here to the cold and privations of the far north. The population at Fort Ross was never large—ranging from one hundred to four hundred at various times. The officers, chiefs of hunting parties, and mechanics were men of Russian blood; the Aleuts were the hunters, fishermen and farmers; while the California Indians acted as laborers and servants. Both Russians and Aleuts married or associated with native women, so that at last the three races became inextricably mixed in the population of Ross. There were no Russian women except the wives of a few of the officers in the later years.

Conditions in the Russian post were far different, at least for the officers, from those prevailing in the Spanish settlements in California. In place of the bare and comfortless quarters which sheltered the *comandantes* of San Francisco and their families, travelers report finding all the luxuries at Ross. Duflot de Mofras, a French voyager who visited the coast in 1841, gives the following attractive description of the place:

> Fort Ross, with its beautiful gardens, is in a superb position; there is nothing in existence more picturesque or more grandiose than the forests of gigantic pines which surround it. It is necessary to have led the terrible life of the "long carbine," to have been pursued by the yells of savages, to enjoy the pleasures of a

From Pictorial History of California

FORT ROSS ABOUT 1830

well chosen library, of the wines of France, of a piano and a selection from Mozart.

Report of von Kotzebue

Otto von Kotzebue, the Russian sailor-scientist, who made two visits to California during this period, left an account which, while enthusiastic in its description of the natural attractions of the country, is extremely unfair and prejudiced in its judgment of the Californians and their institutions. Certain of his expressions give rise to the suspicion that some of his unfavorable comments had their origin in his envy of the Spaniards for their possession of this earthly paradise. It is evident that all the Russian officials who came to California during this early period were filled with an intense desire to secure at least a part of the territory of California for their own government. Kotzebue writes:

> I confess I could not help speculating upon the benefit this country would derive from becoming a province of our powerful empire, and how useful it would prove to Russia. . . . The land is extremely fruitful, and the climate is perhaps the finest and most healthful in the world. It has hitherto been the fate of these regions to remain unnoticed; but posterity will do them justice; towns and cities will hereafter flourish where all is now desert; the waters, over which scarcely a solitary boat is seen to glide, will reflect the flags of all nations; and a happy, prosperous people receiving with thankfulness what prodigal nature bestows for their use, will disperse her treasures over every part of the world.

We have already seen how the vaulting ambition of the ill-fated Rezánof even contemplated seizing the whole of Alta California for Russia.

Fur Hunting on the California Coast

Among all the occupations carried on by the Russian colonists in California, otter hunting was of course the most important. In fact it was conducted so vigorously

by them and their American allies that it was not long before these animals were all cleared out on the coast between Trinidad and San Francisco. From 1812 to 1840 an establishment was maintained at the Farallones Islands for the purpose of securing fur seals, the skins of which, though coarser and blacker than those of the Pribilov Islands, still had a certain value; and to kill gulls and sea-lions, which furnished a good part of the food of the Aleut hunters. It was a war of extermination, for in some years as many as 50,000 gulls were killed. Trade for supplies to be consumed in the northern settlements was, however, a much more urgent motive than fur-hunting. Cargoes of California grain and other food-stuffs were sent up with tolerable regularity, and not only were these provisions most welcome in the north, but a large profit was realized on the goods which were exchanged for them.

Notwithstanding these profits, after some years the Russians began to lose interest in their California colony. There were several reasons for this. The otter and seal had been hunted almost to extinction. The Russian colonists were not very successful in agriculture, which was after all the chief object of the settlement. After the change in the government of California to the Mexican flag the ports of the coast were opened to all foreign ships, naturally resulting in competition and the lowering of prices of goods. Moreover these ships bought up the local produce, and the Russians often found it difficult to obtain food. In 1829 they had to send all the way to Chile for provisions. The only hope for the colony seemed to be in obtaining the consent of Mexico for the extension of their territory. It was proposed to negotiate for all land from 42 degrees to San Francisco Bay, and east to the Sacramento River or the Sierra Nevada.

These negotiations were entrusted to Baron Wrangell, who came to visit the California colony in 1834; but they came to nothing.

The Russians were not slow to recognize the significance of the approach in constantly increasing numbers of the people from beyond the Rockies. The incoming Americans drew nearer and nearer to the settlement at Ross. In 1834 a party of one hundred and sixty-three men with their wives and children established themselves in the interior. By 1837 the American ship-builder, Cooper, had taken possession of a ranch in the upper part of the Russian River Valley. The Russians realized that they could not resist the advance of the aggressive Americans. The establishment at Ross had now become a burden rather than a source of profit; during the last four years of its existence there was an annual loss of 45,000 roubles. Finally, a climax was put upon the discouragement of the colonists by the promulgation of the since famous "Monroe Doctrine" by the power which was just rising to greatness on the other side of the continent. The paragraph in this document which was directed chiefly at the Russians runs as follows:

> The occasion has been judged proper for asserting as a principle that the American continents are henceforth not to be considered as subjects for future colonization by any European powers. We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

Abandonment of Fort Ross

From the time of the publication of this document the Russian government began to take steps leading to the withdrawal of its California colony. General Vallejo, Comandante of the Line of the North, finally received official announcement that "His Majesty the Emperor of

Russia has given his consent that the Company of the Northwest should remove its possessions to Sitka." Governor Alvarado at once gave out the news at Monterey, where it was received with extreme manifestations of joy. That night fiestas were held in all the principal houses, there were illuminations, and other exhibitions of rejoicing. Yet, although these expressions show how galling to Spanish pride the long presence on their soil of the uninvited foreigners had been, Vallejo, at least, was generous enough to give them their due. He says in his *Historia de California:*

> Upon saying farewell forever to these strangers who during so many years have been the nightmare of the governors of California, and even more so of the military comandantes, I must, in justice to the truth, set down as a positive fact that I do not recollect a single instance in which they have failed to keep their engagements or to give a frank and kindly reception to the Californians and Mexicans who visited their establishments. I am sure that I do not depart from the truth when I affirm that benevolence and loyalty were the inseparable motto of the Russians stationed at Ross and Bodega, just as honor was their guiding star.

They even went through the form of buying the lands from the Indians, and, although the price paid was a mere bagatelle, it is the only instance where the original owners of California ever received anything for their land. This transaction was cited by the Russians in support of their title in later disputes.

Having finally decided upon the abandonment of the settlement, the next step for the colonists was to dispose of the equipment. It was the belief of the Californians that in view of the long occupancy by the Russians of California territory without right, the buildings, lands, and other property should be turned over to them without charge. The Russians, however, could not see it in this light, the commissioner who came down to settle the matter saying he would burn it first; and a sale was finally

concluded with John A. Sutter, the German-Swiss adventurer who had come to California in 1839 and settled at New Helvetia, near the Sacramento River. Although Sutter had no capital and was heavily in debt, he was always ready to take a plunge; so in the autumn of 1841 he arranged to purchase all movable property of the Russians at Fort Ross. It was understood by both parties that there was no negotiable title to the land, for it is certain that the Russian government never pretended to obtain any territorial rights in California. Nevertheless the Russian agent gave Sutter a letter or certificate of transfer, known as "Sutter's deed," in which there was some mention of lands, and this in later years was made the basis of an attack on the titles of settlers which was the cause of much annoyance. Vallejo was much chagrined when he found that Sutter had spoiled his chances of getting the property for nothing.

So ended the thirty years of quiet occupancy of a post in California by the Russians, whose coming had been so long dreaded by the Spaniards, but whose proximity turned out to be more productive of benefit than of harm. Indeed, before their departure the Californians had begun to realize that a far greater danger threatened them in another quarter. The advancing army of trappers and traders entering from the United States by way of the Sierra rapidly increased, and the Californians began to read their destiny written on the eastern sky. As for the Russians, besides a few partially preserved ruins of the buildings, some roses and lilies still struggling to bloom amidst the weeds of the forgotten gardens, and some gray and gnarled fruit trees, the only relics of the stay of these men of the frozen north in the land of sunshine are the place names—Ross, Russian River, and Mount Helena, named for the Empress of Russia.

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Chapter XIII

REVOLUTION

Rebellion of the Spanish Colonies

AFTER three centuries of the dominion of Spain, its colonies in South America and Mexico began to grow restive under what they regarded as an unjust discrimination practiced against them by the mother country in such matters as trade restrictions and exclusion from official representation. Discontent rose higher and higher, until in the early part of the nineteenth century the flame of revolution broke forth, leaping from province to province of Spanish America in the period between 1810 and 1826.

Attitude of the Californians

Only one section escaped the conflagration, for almost to the last Alta California, the most isolated of all the provinces of the Mexican colony, remained loyal to the homeland. Little news reached the people of the fierce struggle raging in the south, and they failed to realize its importance. Constant in their allegiance to the king, they never doubted that he would win in the end.

Pablo de Sola, Last of the Spanish Governors

Sola, last of the Spanish governors, looked upon the whole affair as a dream of fanatics, writing to Argüello as late as 1822, when Mexico had already become a republic, "The immortal Spanish nation has many and great resources with which to make herself respected." Of Sola himself such contradictory reports have been given by contemporaries that it is difficult to form any decided

opinion of his character. By some writers he is described as an ill-tempered and despotic man, inordinately proud of his aristocratic Spanish birth and university education, prone to attribute every trouble to the stupidity of the despised Californians; but none deny that he showed much business ability in managing the financial affairs of the country, was strictly honorable, and sincerely interested in education for the common people, as well as their instruction in useful trades, such as weaving, tanning, blacksmithing, etc.

Failure of Supply Ships

In one respect the inhabitants of far distant California were made to realize that the revolution was not a dream, but a bitter reality. When the ships failed to arrive from San Blas with the usual supplies, loud lamentations arose. The destruction of Spanish shipping by privateers working in the independence cause was the phase which directly affected California. The pay of the soldiers was stopped, and all attempts to pay official salaries were abandoned. The documents running through ten years are filled with complaints of the want and suffering that ensued upon the failure of the supply ships. Thanks to the missions, at this time at the height of their prosperity, there was no lack of food; but in all other respects the privation was real and general. Had it not been for the Russians at Fort Ross the white population of the province might have been reduced to the condition of the Indians in the matter of clothing. As it was, the best citizens often found themselves under the necessity of using the skins of wild animals in lieu of cloth. It was the old story of the privation of the people which always follows in the wake of war, and although the Californians took no active part in it they were compelled to suffer the consequences.

Privateering against the Spanish shipping was carried out by vessels fitted out in the United States, whose sympathies were entirely with the rebellious colonies, and these ships were furnished with blank commissions at Buenos Aires, the insurgent capital. Even though they held a regular commission to work in the cause of liberty, their acts often savored of the piratical, and their crews were made up largely of adventurers, restless spirits from England, France, the United States, and other countries, whose chief object was plunder.

Now and then reports reached Californians of outrages committed in the Gulf of Mexico and the Pacific Ocean by these "pirates," as they chose to regard them; and occasionally the populace, all unused to war's alarms, were thrown into a state of wild terror by rumors that their own coast was threatened. Dark stories of the days of the buccaneers and the bloody ravages committed by them upon the helpless people of the lower coasts came to mind. Orders were given by Governor Sola for a strict watch to be kept at various points along shore, and for couriers to be always in readiness to carry news of the approach of suspicious vessels. The *comandantes* of the presidios were directed to collect bows and arrows, for to such straits were the Californians reduced for means of defence; the padres were required to be ready with vaqueros armed with reatas, weapons not to be despised in the hands of such skilled men, as they showed later by roping and dragging off some of the enemy; orders were also given to pack and conceal the mission valuables, and to drive the livestock into the interior. For some time the appearance of any harmless schooner was the signal for a panic, but after several false alarms fear gradually subsided, and the people began to feel a sense of security which was even more false.

There was not yet the slightest indication in this far

distant province of any popular feeling in favor of independence. The cry of freedom raised in the south awakened no echo on the northernmost frontier. Even the trend of events in the rebellious districts, exciting as they were, was scarcely followed in isolated California. Loud and bitter as were the complaints against the viceroy for his failure to send supplies and the back pay of the soldiers, there was no thought of resisting his authority. The revolutionary period was a trying time for the missions, which were at this epoch at the zenith of their industrial development. They were now not only deprived of their stipends and supplies, but were compelled to support the presidios as well. For this aid they received neither pay nor gratitude, for their bills against the government were naturally never honored, and the soldiers themselves, seeing the missions so rich, began to murmur against them.

The Spanish-speaking population in California in that epoch numbered little more than three thousand—two thousand of whom were soldiers and their families, priests, and the people employed at or living near the missions, while less than one thousand were residents of the pueblos or private ranchos. The civic pueblos gained nothing by immigration during the long struggle for independence in Mexico, yet the population was nearly doubled by births and accessions of invalid or retired soldiers from the presidios. These towns suffered especially from the loss of trade with the supply ships, for they were too far inland for much contraband bartering with American or Russian vessels.

After the first sensation caused by news of the blockade of the ports of Valparaiso, Callao, and Guayaquil by privateersmen from Buenos Aires had subsided, Californians had two years of respite from fear of attack, disturbed only by the discomfort caused by lack of cloth-

ing and other articles for which they had depended upon the supply ships. They had come to believe that they were safe, but at the end of the summer of 1818 they had a rude awakening. In October of that year the American ship *Clarion* brought the startling news that two insurgent ships were outfitting at the Sandwich Islands for an attack on California, and might be expected at any time. The community at Monterey was thrown into a state of consternation by this news.

Insurgent Attack on California

They were not kept long in suspense, for on November 20, 1818, the two enemy ships were sighted by the sentinel at Point Pinos. The larger of the two vessels, the *Argentina,* was commanded by a Frenchman, Hippolyte de Bouchard, who had served in the Buenos Aires navy. He is described as a strong, determined man of fiery temper, who exercised an iron rule over his men. The other and smaller ship, the *Santa Rosa,* was in command of an English soldier of fortune named Peter Corney, who had been picked up at the Sandwich Islands by Bouchard. Most of the officers were Americans, but the crews were a motley lot of Spaniards, Spanish-Americans, Portuguese, Filipinos, Malays, Americans, and a few Englishmen.

The ships were both comparatively small, but to the terrified people on shore they looked decidedly formidable. The total force to oppose them amounted to but forty men. The principal shore defence consisted of eight guns at the presidio, all but two in bad condition, and a battery of three guns which was hastily improvised on the beach, and which gave a good account of itself in the succeeding combat. The same night the *Santa Rosa* came into port and dropped anchor. At daybreak her commander opened fire on the fort, which was briskly re-

turned. The enemy was completely surprised by the fire from the shore battery, which inflicted such damage upon the ship that she was compelled to strike her flag. The *Argentina* now moved in and dropped anchor, after which Bouchard sent a flag of truce with a formal demand for surrender, expressed in the following peremptory terms:

To the comandante of the port of Monterey. Dear Sir: Since the king of Spain has declared "bloody war" on the Americans who do not wish to exist under his dominion, these same Americans have to make defence by waging war on land and sea. They make war with all the seriousness of purpose and with all the rights of nations. Therefore, having crossed the Pacific Ocean to this coast, I now desire the surrender of your city with all the furniture and other belongings of the king. If you do not do so, the city will be reduced to cinders, and also the other surrounding villages. It is within my power to bring about this destruction. You may evade all the above spilling of blood by agreeing to my proposal. If so, I shall desist from what I say. Be good enough to reply to me as soon as possible. May God keep you many years. *Argentina,* November 23, 1818. Hipolito Bouchard.

This demand met with a defiant refusal from Sola, notwithstanding that he had practically no means of resisting it. Upon receipt of this reply, the enemy abandoned the attempt to take the place from the sea, and landed a force of four hundred men and several field pieces in a cove at Point Pinos, afterwards known as the "beach of the insurgents." Sola, seeing himself so greatly outnumbered, was compelled to retreat, with munitions and archives, to the Rancho del Rey, on the present site of Salinas. There he was joined a little later by reinforcements from San Francisco and San José, augmenting his little army to two hundred Spaniards and a considerable force of Indians.

While all this was going on, wild excitement prevailed among the non-combatant population of Monterey, who saw themselves in imagination victims of the dreaded

pirates. The governor's order for the immediate flight of the women and children was delivered in the dead of night, and so great was the haste and confusion that the refugees departed destitute of all comforts. The people were divided between the missions of San Antonio and San Juan Bautista until conditions should permit their return to their homes.

Meanwhile the invaders were busy sacking and burning the presidio and town of Monterey. Few buildings escaped, and even the orchards and gardens were destroyed. Peter Corney says, "The Sandwich Islanders, who were quite naked when they landed, were soon dressed in the Spanish fashion; and all the sailors were employed in searching the houses for money and breaking and ruining everything." Something over a week was spent by the attackers in burying their dead, caring for their wounded, and making repairs to the *Santa Rosa*. While the ship was being patched up the insurgents made good use of the time in trying to win over to their cause those of the inhabitants who had the courage to remain, but these efforts at propaganda in the cause of liberty failed.

The insurgent ships set sail on November 27, and Governor Sola went to work at once to rehabilitate Monterey. In a few months the people all returned, and the town was in a better condition than before the attack. The ships of the privateers ran down the coast, stopping at various points on the way to burn and pillage. The village of Rancho del Refugio was burned in revenge, so says Corney, for the loss of three of the ships' men, who were lassoed and dragged off by a party of vaqueros. San Juan Capistrano was one of the places sacked and robbed, especially of its store of fine wines and spirits, much of which evidently went down the throats of the pillagers. They then sailed south, and California was

relieved of their presence, to the intense relief of the people.

This comparatively insignificant affair of the attack by Bouchard in the two insurgent ships under his command constitutes California's only active participation in the wars of independence waged by the Spanish-American colonies. It also represents the only military action ever taken against it from the outside except that made by the Americans, at the time of the conquest. If Bouchard had succeeded in winning over the Californians to the insurgent cause it is probable that another republic would have come into being, and that the whole course of the American Conquest might have been changed. As it actually happened, this northernmost possession of Spain in the New World remained loyal to the mother country until the utter hopelessness of its stand became apparent. Governor Sola constantly petitioned for assistance, but the vice-regal government could do little, its funds being diverted and entire attention occupied from 1810 on by the outbreak of revolution in various parts of New Spain.

Freed from the fear of attack by the revolutionists, and partially relieved of their lack of the necessaries of life by illicit trade with the Russians and Americans, the Californians dropped back into their usual state of calm monotony, while events of the greatest importance to the New World came thick and fast in Mexico. In February, 1821, Agustín Iturbide, a colonel in the royal army, suddenly defected to the insurgent cause, raised a revolutionary flag, promulgated the famous *Plan de Iguala,*[1] and made New Spain independent of the Spanish throne. In September he took possession of the capital, established an empire, and instituted a regency with himself

[1] The Plan de Iguala was explained in a proclamation of February 24, 1821, in which was set forth a scheme of future government, providing for a moderate monarchy with some member of the royal family as ruler; issued from the town of Iguala.

at its head. Rumors of this astounding event reached California in January, 1822, where it was received with more or less incredulity, Sola remarking that it was the "dream of a dreamer." In March, however, authoritative confirmation came, and a *junta,* composed of the governor, the captains, and the lieutenants from the presidios, together with Fathers Payeras and Sarria, was summoned to meet at Monterey to consider the matter.

Although it had been less than two years since all present at this council had publicly sworn to support the king, they took the oath of allegiance to the new government without hesitation. Only the friars felt some misgivings; but they took the oath because they believed the new ruler was to be a member of the royal family. Nothing was clearer in their minds than that the downfall of Spanish dominion in America would mean the destruction of the missions. In their letters and documents they speak little of their troubles, but there is no doubt that they had already seen the "writing on the wall." Father Señan wrote to Comandante de la Guerra, "May God have mercy on this province, which seems at present to lie between Scylla and Charybdis."

Although California had accepted the new régime without a word of protest from civilians, military, or clerics, its former loyalty to the king had not been forgotten in Mexico, where it was an object of much suspicion and fear. It was thought that the northern province might be made the center of a royalist movement, hence it was deemed best to send a *comisionado* of the regency to learn how the land lay in California; to institute propaganda for independence; to obtain the oath of allegiance; to raise the new national flag; and in general to set in motion the machinery of the constitutional government. The *Canónigo* (canon) of the Durango Cathedral, Agustín Fernández de San Vicente, was chosen as a suitable

person to carry out this delicate mission. But even while the *San Carlos* was being prepared for the voyage, another swift and startling change took place in the form of the new government. The so-called regent Iturbide was proclaimed emperor on May 19, 1822, under the title of Agustín I.

This latest news reached Monterey in July by the American ship *Panther,* which also informed Sola of the coming of the *canónigo.* On September 26 the *San Carlos* sailed into the bay and anchored just out of reach of the guns of the fort, showing the apprehension that was still felt in regard to the political attitude of the Californians. It was observed from the shore that a strange flag—green, white, and red, with an eagle and crown in the center—fluttered from the masthead. Such a banner was not to be found in the chart of international colors, and the soldiers rushed to their guns. Sola, who recognized it as the flag of independent Mexico, calmed the fears of the people.

Under the Empire of Iturbide

The *canónigo,* described as a "rosy-cheeked, jovial, gayly dressed priest, a *bon vivant* who spent money freely and borrowed as freely, with an unclerical fondness for wine, women, and gambling which greatly scandalized the friars," lost no time in stating his mission, which was now that of the emperor rather than of the regent. The people, apparently dazed by the rapid changes in the government, accepted this latest move, again without a protest. In the presence of a large concourse the flag of Spain was lowered, surely not without a pang in the hearts of the old soldiers present who had fought through many a campaign under its folds. It was said that the Indians were much pleased with the substitution of the

eagle for the lion, as something more familiar to them. As the imperial banner of Mexico was unfurled to the breeze it was greeted with the thunder of artillery, the noise of drums and fife, and the shouts of the multitude: *"Viva la Independencia Mexicana! Viva el Emperador Agustín I!"* All then repaired to the church, where the reverend canon, dressed in white damask embroidered in gold flowers, celebrated a solemn mass and intoned the *Te Deum Laudamus*. It was a day of fiesta, and if there were any regrets for the vanished glories of old Castile they were drowned in the festivities that followed the church ceremonies—the races, the feastings, and the grand ball which lasted until daylight.

Yet another change was to startle the bewildered Californians. Even while these ceremonies were going on at Monterey, the empire had become a thing of the past. The abdication, banishment, secret return, trial and execution of Iturbide followed in quick succession. The Mexican Republic was created on November 19, 1823, under a constitution resembling that of the United States. In California this last change in government was made without a struggle. The people seemed as willing to live under a republic as under a monarchy if only they might have peace. Sola, who had been chosen as deputy to the Mexican Congress, remained in office for a few months until a successor could be selected. By the first gubernatorial election ever held in Alta California, Luís Antonio Argüello, comandante at San Francisco, became temporary governor, making him the first native born, as well as the first elected governor. Argüello announced that all new conditions would be accepted, all new decrees obeyed, and the title "nacional" substituted for "imperial." All letters, public and private, were thereafter signed with the device "God and Liberty." These suc-

cessive political revolutions made little alteration in the conduct or thought of the people. They were still suspicious of foreigners, especially of those from the United States, of whom there was a prophetic fear among Californians. In 1805 a foresighted governor had said "These Anglo-Americans will become troublesome."

The new government was now firmly established. The dominion of Spain, won at the cost of centuries of superhuman effort on the part of her brave sailors and explorers, was at an end forever. The hauling down of the old flag for which they had struggled and fought ended the story of the great *conquistador* Cortés, who made the first advance toward California; the brave Cabrillo, who gave his life to its discovery; the indefatigable Juan Pérez, who battled wind and wave and deadly disease in his tiny craft to lay bare the secrets of its unknown shores; the dutiful Portolá, who blazed the path from south to north for the coming of the first settlers; and, noblest of all, the saintly Serra, who first lighted the torch of civilization for the savage inhabitants:—in short, all that company of heroes who wrote the name of Spain in brilliant letters upon the pages of California's early history.

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Part III

UNDER THE REPUBLIC OF MEXICO

Chapter XIV

THE NEW REPUBLIC TRIES ITS WINGS

THE new freedom in Spanish America was followed everywhere by the usual aftermath of revolution—political unrest and a long settling-down process. California was fortunate in its distance from the vortex of the struggle, for it received its independence from Spain without the fratricidal outpouring of blood which drenched the soil of Mexico and the southern colonies for the better part of ten years; and it was saved from the fury of a contest in which members of the same family were often pitted against each other, brother against brother, father against son, and wives sometimes placing a price on the heads of their own husbands.

Through the sacrifice of others the northernmost province cut its ties with the mother country without the necessity of striking a single blow, but it could not altogether escape the turbulence, the rivalry, the intrigue which afflicted all the other Spanish-American countries in the first years following the separation from Spain. After a short lull at the beginning under the governorship of Argüello, revolution succeeded revolution, conspiracy followed conspiracy, and revolt trod on the heels of revolt. Scarcely a governor during the Mexican period served his term unharassed by these outbreaks, for each and every one of which the projectors advanced excellent reasons.

The bond between California and its new superior government was even more loosely tied than it had been with Spain, requiring no very violent effort to break it. The whole public movement during this epoch clearly

shows a trend toward complete independence as a separate republic. At this distance of time the ease and equanimity with which Californians accepted the rapidly succeeding changes of rulers presented to them seems almost incomprehensible, but it doubtless arose from a combination of circumstances—the looseness of the connection between the province and the Central Government; the distance and difficulty of communication, and the feeling of resentment toward Mexico for years of neglect. No doubt it seemed to them that almost any change might be for the better, and it has been somewhat jocosely suggested that they might even have been willing to give allegiance to the king of the Sandwich Islands, for he was at least solvent and able to pay the back salaries of the soldiers! At any rate, Californians accepted without a protest three successive changes of government within thirty months. First came the dashing young Spanish officer Iturbide, the would-be Napoleon of the West, as chief regent for some supposititious prince of Spain who might possibly be induced to come to Mexico and set up a throne. Then, after ambition had driven this young pretender mad, and he had set himself up as emperor, only to be overthrown and his life sacrificed to his false hopes, the final step was taken and the republic proclaimed, all apparently with equal satisfaction to the Californians.

First Electoral Governor

Luís Antonio Argüello, first provisional governor of California chosen by election, served, with equal loyalty, under three different authorities, the regency, the empire, and the *Congreso Constituyente* (the constitutional congress). Thus it will be seen that California was for a short time part of an empire. In the election of Argüello, a northern man, over his opponent in the south,

the prominent and popular José de la Guerra, appears the first show of the lack of harmony between the northern and southern sections of the province which continued down to the end of the Mexican régime and is not altogether unknown in our own time.

Acting governor Argüello came down to the capital on a whaler and took formal possession of the office on the day that Sola departed. The proper title was no longer governor but *gefe político,* or civil chief. The selection of the chief was made under the direction of Canon Fernández de San Vicente, while he was still in the country working for Iturbide. He also established a *diputación,* or legislative body, composed of six *vocales* (members) and a president, one *vocal* for each presidio and pueblo district. Sola, with his usual contempt for the Californians, expressed doubt that they were as yet prepared to take on so great a responsibility; but the *canónigo* declared that the only way for a people to learn how to govern themselves was by actual practice, and he insisted that a *diputación* had to be chosen if it had to be done by the Indians and be composed wholly of Indians. This was California's first Legislature, which marks the beginning of representative government in the province. The canon also introduced some changes meant to improve the condition of the Indians, although it is doubtful that any such improvement resulted from them. They were declared possessed of citizenship, and where they were able to support themselves had permission to live apart from the missions, subject to the judge of the district. Citizenship for the Indian had long been contemplated by the Spanish government, as is shown in the laws for the Indies. On the part of the highest authority of Spain there was always a desire to do justice to the aboriginal inhabitants, and it was only through the in-

competence or unworthiness of agents that this desire was not fully carried out, in exactly the same way as was later experienced by the United States.

Plan de Gobierno

In November, 1823, official advices reached Monterey proclaiming the birth of the republic. Governor Argüello, not in the least perturbed by this latest development, at once announced that the new conditions were accepted and all new decrees would be obeyed, sending his allegiance to the Minister of State in a letter of November 17. In January a *junta* of prominent citizens representing the military, civil, and ecclesiastical orders, was called for the purpose of devising a system for the interior and domestic government of the province. The first two branches were fully represented, but the friars were conspicuous by their absence. A committee of four was appointed to prepare a report of what was best to be done, and the very next day it appeared with a *Plan de Gobierno,* thus giving the lie to Sola's idea of their inaptitude. By this plan provision was made for raising revenue by taxes on foreign vessels, on sales of goods imported by foreign or Mexican craft, and on exports, as well as on crops grown and cattle branded. The padres protested vigorously against the tax levied on mission products, which they claimed belonged to the Indians; but, since the missions owned nearly all the property in the province, to exempt it would have been to deprive the government of its only means of raising revenue.

Provision was made for a military force of 290 men, "to be maintained as long as there was means to pay them," and for a militia to be composed of all male inhabitants between the ages of eighteen and fifty. Civil justice was to be administered by the *alcaldes,* with right of appeal to the *comandante* of the district and finally to

the governor. Criminal trials were to be by courts-martial, sentence to be executed as soon as pronounced. There was not much room for the defeat of justice by the "law's delays" there. This *Plan de Gobierno* is notable as the beginning of self-government in the province, indicating a trend thus early toward home rule. Bancroft says: "Although it introduced no radical changes, never had properly any legal or political force or authority, and was nominally the law of the land for only one year, yet it was California's first constitution or organic law."

This plan of local government was adopted almost as a matter of necessity, for the new Congress was so fully occupied with affairs at home that it could give little attention to distant California. That province, on the other hand, found itself entirely without funds for the expenses connected with its own organization; the government of the pueblos; the sending of a *diputado* to Congress; the repair of roads; support of schools, such as they were; and the needs of the country in general. Fortunately, the revolution in Mexico had the effect of removing restrictions on trade with foreign vessels, thus opening an additional source of revenue from duties on exports and imports.

One more act in the exciting drama being played in Mexico was still to be performed. In March, 1825, the news of the adoption of the constitution of the new republic, founded on that of the United States, was received at Monterey. Argüello immediately summoned the *diputación* to consider it. Heavy rains and high water prevented the southern members from attending, but the governor and his secretary, with four of the northern members, met on March 26, formally read the federal instrument whereby Alta and Baja California were created territories, and swore to support it. On the following

day the document was read to the troops and citizens at the presidio, who also took the oath of allegiance, accompanied by many *vivas,* the ringing of bells, and the firing of cannon at intervals for three days.

Opposition of the Clergy to the Republic

One element only was lacking in these rejoicings—the customary religious ceremonies to give solemnity to the occasion. Officers, soldiers, and citizens at all the presidios in turn declared allegiance with the same evidences of satisfaction, but only at San Francisco and San Luís Rey were friars found willing to intone the mass in token of the approval of the church. They had accepted the regency solely on the ground that one of the royal family was to ascend the throne; they had given allegiance, although with some misgivings, to the empire, even ordering three days' public prayers for "the success of his Majesty in the government of his people"; but they could not bring themselves to accept the republic. When Prefect Sarría was notified by the governor that he was expected to comply with the provisions regarding the oath of allegiance, he wrote that he could not take it without violating prior obligations of justice and fidelity to the king of Spain, and recalled the provisions in the *Plan de Iguala* by which Ferdinand or one of his heirs was to be ruler of Mexico. The fear that the Mexican Republic might be a duplicate of the French Republic, which expelled the friars, was one of the reasons which withheld them. Some of them said they were tired of taking so many oaths of allegiance, which Father Sarría said had become "mere playthings."

When Sarría's attitude was reported to the authorities in Mexico his arrest was ordered, but it seems to have been only nominal, for accounts show that he continued to move about freely in California during the rest of his

life. Some of the members of the *diputación* were of the opinion that the conduct of the friars merited some sort of rebuke, and it was proposed that the management of the temporal affairs of the missions should be taken from them, but no formal action to that end was taken at this time. While no direct steps were taken during this administration leading toward secularization, yet there were many indications pointing to such an eventuality. The refusal to favor the missions in taxation, the expressions of the governor in regard to public lands, and other signs of the times were the first straws showing that missionary rule was nearing its end. The fall of Iturbide was a heavy blow to the missions. The greatest loss to them at this time, however, was the death in 1823 of two of the ablest and best loved of the friars, the strong-minded, unselfish, and even-tempered Payeras, "with whom even the peevish Sola could not quarrel," and the scholarly, gentle, and retiring Señan, sometimes nick-named "Padre Calma."

Opening of California to Foreign Trade

Although the period of Argüello's rule was one of peace and quiet, less exciting than those preceding or following, yet it was marked by occurrences of far greater eventual importance to the province than the later turmoil of revolutionary unrest. It was in this time that the vast commerce which now radiates from the busy ports of California had its beginning, through the opening of the province to foreign trade. Many foreigners began to enter the country, for even though the authorities in Mexico were still more or less actuated by the old inherited suspicion against strangers, conditions in Alta California tended to change the attitude of the people toward outsiders. Necessity had for years compelled trade with the Russians, toward whom Argüello had al-

ways been friendly since the days when Rezánof courted his sister Concepción. The Russians had long desired to enter into a partnership for fur hunting and trading with the Spaniards, and now that their old friend was in authority they were able to realize their desire. A contract was signed with Argüello by which the Russians were to furnish the Aleuts with their *bidarkas,* while the Californians were to feed the hunters and furnish ten Indians to watch the Aleuts. The product of the hunt was to be equally divided, and down to October, 1824, the share of the government was 677 skins. The hunting was done chiefly in San Francisco Bay, which swarmed with otter, but was also carried on at Monterey and as far south as San Pedro.

Heretofore the few foreigners landing on the shores of California had been mere passing visitors, who, after a short period of friendly intercourse with the inhabitants, had raised their anchors and sailed away. Now a different class began to arrive—such men as William E. P. Hartnell, Abel Stearns, and John R. Cooper—who settled permanently in the province, married daughters of the country, and founded families whose names have become familiar in the story of California.

Shipping began to make its appearance in steadily increasing volume. In 1822 the English firm of John Begg and Company sent a ship from Lima to California, and with it came Hugh McCullough and William Hartnell, who established the firm of McCullough and Hartnell, known as Macala and Arnell to the Californians and sometimes so signed by themselves. A contract was soon negotiated by which they were to bring at least one cargo a year to the coast and take all hides the missions had to offer, besides tallow, wheat, and other products according to their desire, to be paid for in goods or cash. In the same year Henry Gyzelaar and William A. Gale,

who had already become pretty well acquainted with the coast as smugglers, came in the American ship *Sachem* from Boston, in which they made a beginning of the legitimate trade carried on so long afterwards by the Boston ships with California. William A. Richardson, of the English whaler *Orion,* left his ship at San Francisco, and, after obtaining permission to remain in the country, he was later baptized in the Catholic Church, married the daughter of the *comandante* of the port, and became the founder of the town of Yerba Buena. Cooper came in 1823 as captain of the American ship *Rover,* and with him came Daniel Hill and Thomas Robbins of Massachusetts, who settled at Santa Barbara, where they lived for a long time. David Spence, an Englishman, came up from Lima to superintend the packing of hides, beef, and tallow for Begg and Company, and made his home at Monterey, where he married into one of the leading Californian families, and where his descendants still live. In the year 1824 sixteen ships were seen at Monterey, San Diego, and San Francisco, but only ten of them were trading vessels. Receipts from duties paid by these ships, in addition to what was obtained from the contract with the Russians, furnished some revenue, but it fell far short of the amount required to support the government. The missions were still called upon to supply food for the unfortunate soldiers, who continued for the most part to go without their pay as they had done in Sola's time.

The entrance of this considerable number of foreigners intending to become permanent residents, with the beginning of a promising commerce by sea, were the really notable events of Argüello's rule, less spectacular but vastly more important than the political squabbles of later administrations. In 1824 an act was passed by the Mexican Congress which, among other wise and liberal provisions, promised security in person and property

to foreigners settling in its territory and obeying its laws. Gale and Hartnell gave the first start to the regular exportation of hides, which soon afterwards became, and for a number of years continued to be, the chief business of the country.

All of these events were early foreshadowings of the American Conquest, for they all led in that direction. By 1822, after Mexico had become independent of Spain, the Americans had acquired a thorough knowledge of the California coast; had established friendly relations with the people; had made themselves useful and welcome to the priests and presidios by furnishing them with smuggled goods; and had spread fear of their nation among the Spanish officials. The proverbial cloud "no bigger than a man's hand" was already showing itself above the snowy tops of the Sierra.

Indian Revolt of 1824

The greatest disturbance to the comparative peace and quiet of the Argüello administration was that caused by the Indian revolt of 1824, the most extensive and serious outbreak that ever occurred in the province. Although there had been occasional uprisings in different parts of the country, there had never been anything like a general Indian war. It was fortunate for the whites that the natives of California had always been divided into numerous small groups or *rancherias,* usually at enmity with each other, for on account of their constant warfare among themselves they had never learned to unite for a common object. Had they known anything of the strength of union there might have been a different story to tell, for in point of numbers they overwhelmingly outmatched the Spaniards. Nevertheless, in the years of association with white men they had gradually acquired some understanding of the value of combination, as well

as some knowledge of firearms, and in February, 1824, a simultaneous revolt was started among the neophytes of Purísima Concepción, Santa Inés, and Santa Barbara.

The cause of this revolt is as obscure as is usually the case in quarrels between Indians and whites, but may be pretty certainly set down to some outrage perpetrated upon the natives. The soldiers at Santa Inés were attacked without warning, and were surprised to find their assailants well armed. The mission buildings were set on fire and partly destroyed. At this critical moment Sergeant Anastasio Carrillo happened to arrive with a small reinforcement from Santa Barbara, and the Indians, seeing themselves overmatched, yielded. On the same day hostilities began at Purísima, where there was a more determined fight. After seven Indians and four white men had been killed, the guards were compelled to surrender, but, after some parley, were allowed to go to Santa Inés on their promise to prevent Sergeant Carrillo from coming to continue the combat. The rebels kept possession of the mission for nearly a month. At Santa Barbara the revolters had entrenched themselves in the mission buildings, from the shelter of which they fired with both guns and bows and arrows. Comandante de la Guerra attacked them there, and after a fight of several hours the Indians had enough of it; most of them fled to the hills, taking with them all the property they could carry. At Purísima the rebels made good use of the time they were left in possession by erecting palisade fortifications, cutting loopholes in the church and other buildings, and mounting two rusty old cannon hitherto used only to make a noise on *dias de fiesta*. But their ignorance of the art of handling the guns and powder quickly brought about their defeat by Lieutenant José Mariano Estrada with one hundred men, despatched against them by the governor. It required several suc-

ceeding expeditions to pursue the fugitives into the interior and finally quell this revolt. The Indians gained nothing by it, but the very fact of its occurrence and the proportions that it reached showed that the spark of manhood was not entirely absent in the breasts of the despised aboriginals of California.

On May 21, 1825, Argüello wrote an interesting report on the condition and prospects of the province to the Supreme Government. He spoke of the miserable state of the Indians, poor, diseased, without medical attendance, and of the injustice of keeping them any longer in a condition akin to slavery. At the same time he referred in enthusiastic terms to the admirable physical characteristics of the country; its magnificent forests; its soil of incalculable fertility; and its capacities of all kinds for becoming one of the richest and happiest countries in the world. Early in May he suspended the sessions of the *diputación,* thus terminating the deliberations of the first legislative body in California.

Argüello's government was never anything more than provisional, filling in the time until the authorities in Mexico could spare time and attention to appoint a regular governor. The regularly appointed incumbent reached California in the latter part of October, 1825, and Luís Argüello retired to private life, never again enjoying any prominence in public affairs. He was the first California-born governor, and, despite the many difficulties with which he had to contend, he filled the office with much credit. He was personally popular with all classes, and California writers, without exception, speak in the highest terms of his honesty, ability, and kindness of heart. He died on March 27, 1830, at the age of forty-six, and was buried in the churchyard of Mission Dolores.

California enjoyed greater peace and quiet under Ar-

güello's administration than she was to know again for some time to come. The era of revolution and unrest was about to open, but, withal, it was the period of the greatest economic and social development before the coming of the Americans, and the real age of romance, the days of the cattle barons and the free life on the great ranchos.

The Mexican régime was now fully established. The change to the republic had been peacefully accepted by the people, a plan of local administration had been worked out, and a beginning made in representative government by the election of the first legislative body. Commerce with foreign nations had been initiated. California had formally taken its place as one of the states of the Mexican Republic.

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Chapter XV

TROUBLOUS TIMES

First Constitutional Governor

JOSÉ MARÍA ECHEANDÍA, Argüello's successor and the first constitutional governor was a lieutenant-colonel of engineers. He has been described as a "tall, thin, juiceless man, possessing but little enterprise or force of character, and much concerned about the effect of the California climate upon his not too robust health." So great was his fear of what he was pleased to regard as the severity of the weather at Monterey and San Francisco that he came no farther than San Diego, where he summoned Argüello to meet him and surrender his authority. He had been appointed *gefe político* and *comandante militar* of both Californias, and one of the reasons advanced by him for remaining at the southern town was that it was more centrally located for transacting the business of the two provinces, and there was nothing in his instructions requiring him to live at Monterey. No formal transfer of the capital was made, but the southerners chose to regard it in that light, and were consequently much elated, while the Montereyans were correspondingly offended.

Jealousy between North and South

The jealous feeling between north and south, which had already begun to show itself, gained much momentum from this affair, and the new governor started out handicapped by great unpopularity in the upper section. Both Vallejo and Alvarado state that Argüello was urged by the people and troops at Monterey to head a

revolt against Echeandía; but if there is any truth in this statement, the retiring governor had too much good sense to consent to such a rash move. There were not lacking those who ascribed a more romantic motive than Echeandía acknowledged for his determination to remain in the southern city—namely, the fascinations of a certain young lady resident there. Subsequent events, culminating in a bitter rivalry between the governor, who was a bachelor, and the young American sea captain, Henry Delano Fitch, for the hand of Señorita Josefa Carrillo, make it seem probable that this motive had something to do with the long lingering of Echeandía at San Diego. However that may be, it is certain that Argüello went down to that place in November and delivered up his authority to the new executive.

Echeandía entered upon a troublous time, with many elements conspiring to cause disturbance. Shortly after his appointment a rather exciting event occurred, but as he had not yet reached the province, the management of it fell to Argüello, who was still acting as governor. In the early part of May, 1825, the Montereyans were thrown into a wild state of excitement by the appearance of a large line-of-battle ship flying the flag of Spain, the Republic of Mexico being still at war with the mother country. Recollections of the Bouchard affair were revived, and there was a hasty call to arms; but the alarm was soon relieved when a boatload of men coming ashore from the ship, the *Asia,* shouted as they neared land, *"Viva la libertad,"* the battle cry of the revolutionists. The commander, Captain Martínez, at once called upon the governor and explained that the *Asia,* with her consorts the *Constante* and the *Aquiles,* were coming to be surrendered to the Mexican government, since their crews no longer desired to fight against the Americans. In fact, the crews of these ships, which had formed part of

the royal Spanish squadron operating against the rebels on the coasts of South America, had mutinied at one of the Mariana Islands, and after placing the chief officers ashore, had returned eastward with a view to surrendering the ships to some enemy of Spain. They had reached the coast believing that Iturbide was still emperor, but were quite as willing to enlist under the flag of the republic. The *Constante* appeared a day or two afterwards in Monterey Bay, while the *Aquiles* put in at Santa Barbara. The *Asia* and *Constante,* after a stay of twenty days at Monterey, during which the crews took the oath of allegiance and generally made things lively for the little town, took their departure, after firing a salute of fifteen guns. Captain Martínez wound up the festivities with a grand ball on board the *Asia,* to which all the ladies of the place were invited. "The music was excellent, the supper sumptuous, the wines and liquors exquisite, and the greatest harmony prevailed from beginning to end." Argüello appointed Captain Juan Malarín, an experienced navigator, to deliver the ships at Acapulco, where they arrived without incident and the crews had the satisfaction of receiving their back salaries, the delay in which seemed to be one of the chief reasons for the mutiny. This story furnished Jules Verne with the theme for his novel called *The Mutineers,* in which many of the true names and actual facts are used.

The most pressing question facing Echeandía on his arrival in his new field of duty was that of supplies for the soldiers and their families, who had to be clothed and fed after some sort of fashion. The missions were still the main reliance, but the friars no longer gave a willing support to authorities whom they regarded as usurpers. Their own position was growing more and more uncomfortable. They were aware of the rapidly increasing feeling of distrust and opposition to them and all people of

Spanish birth in Mexico and by reflex in California. The arrest of Prefect Sarría made the bitterness of the feeling very evident. Echeandía was compelled to negotiate with the recalcitrant friars, and in one way or another managed to persuade them to furnish the supplies needed, but he hardly knew which way to turn for funds. The pueblos were beginning to be a little more prosperous, and by the exchange of their produce with the foreign ships were able to obtain better clothing and more comforts than formerly.

The government, however, got little more revenue from this increase of business with the ships, the total sum collected hardly amounting to a third of what was needed. Smuggling still went on, though not so extensively as in Sola's time. Difficulties with the soldiers, who had not been paid for years, grew steadily more threatening. In 1828 the troops at Monterey revolted, but they were persuaded by Romualdo Pacheco, a young engineer who came up with the governor, to return to their duties. Ill feeling grew rapidly more tense between California-born and Mexican. Quarrels from this cause were frequent, clearly foreshadowing the approach of a final break between the province and the Central Government.

The Soldiers' Rebellion, 1829

As time passed and the soldiers saw that they were no better off in the matter of pay than before the coming of Echeandía, they were inclined to blame him for their destitution. Some of the friars, always hostile to any representative of the republic, encouraged the movement against the governor, and some of the foreign residents—Hartnell, Spence, Cooper, Stearns, Anderson, McCullough, and others—perhaps fearing to oppose the excited soldiery, contributed money to aid them in a new revolt. A nominal leader was chosen in the person of

Joaquín Solís, an ex-convict, but it was understood that José María Herrera, who had been sent to the province as financial agent, and between whom and Echeandía there had been friction from the beginning, was the real moving spirit behind the affair. The usual *pronunciamiento* was issued, accusing Echeandía of various tyrannical acts, and the revolt, which can hardly be regarded as anything more than a "strike" of the soldiers for their pay, extended as far as Santa Barbara. After an encounter near that place between the government troops and the rebels, which resulted in only one death—that of an unlucky horse, the followers of Solís all ran away, taking the road to Monterey, where they were promptly followed by their leader. Solís and some of his fellow-conspirators were arrested and sent to San Blas, where they were soon set free. So ended the first of a series of revolts against Mexican authority in the province, the first in which Californians faced Californians on the battle field. It was a war of *pronunciamientos* rather than of guns, and ink, not blood, was spilled in this first of the rebellions that were to keep California in a state of turmoil during the remainder of the Mexican régime.

The Peaceful Invasion

The time was fast approaching, however, when these internal troubles were to cause the Californians less anxiety than those which now began to cast their shadows from the outside. The first influx of foreigners came from the sea—the otter hunters and whalers and trading ships from Boston—who finally established a regular commerce with California and brought a considerable number of permanent settlers to the country. The Californians had firmly believed that the barrier of desert and mountain separating them from the dreaded *Yanquis* on the land side was practically impassable, so they were all

the more startled by the appearance in 1826 of the first party of Americans to cross the Sierra into California, the famous expedition of Jedediah Smith, the complete story of which will be more appropriately told in the first chapters dealing with the American Period. The presence of bands of trappers on the frontiers was beginning to excite apprehension, and from this date the advancing army of foreigners coming in by land rapidly increased until it ran into the thousands. To quote Joseph J. Hill,

> From 1826 to 1832 the trappers pushed their activities farther west, crossing the deserts of Arizona and Southern California to the basin of the San Joaquín and the Pacific Coast. This period may, therefore, be characterized as the period of the opening of the trappers' trails to California. During these years trappers made their way to California over at least six different trails through the southwest. . . . The fur trade of the Far Southwest was a very significant industry for a decade or more, and played a very important part in the opening up of the region which has become the present States of Colorado, New Mexico, Arizona, and California.

Some of these hunters settled down and became worthy members of the community, but, taken all in all, the population of California received more desirable additions by way of the sea than from the land route, by which many men of an adventurous and turbulent class made their way into the country. On both sides numerous breaches were now being made in the wall of exclusion which the Spaniards had so vainly endeavored to build around this choice bit of territory of which they had so long been the undisputed owners. The wall was fast crumbling, not before the onslaughts of military force, but before the advance of that great leveler of national barriers—Commerce. From this time until the American Conquest the movement of foreigners, mostly Americans, into the country took on such proportions as to constitute what may be fitly called a "peaceful invasion." The whole

story of the coming of the pre-forty-niners, the advance guard who came before the "gold rush," their intermarriage with the old Spanish families and their complete identification with the life of the Californians, is one of the most picturesque and important phases in the entire history of the State.

Notwithstanding many unfortunate experiences, the Californians were as a rule more favorably disposed towards foreigners in these years than they had been previously. A naturalization law was passed by the Mexican Congress in 1828 requiring all candidates for citizenship to become Roman Catholics; to prove two years' continuous residence in the country; to have a useful trade or occupation; to show good character; to renounce allegiance to all other nations; to swear to support the constitution and laws of the republic, and containing other wise provisions. Almost immediately a number of applications for naturalization were presented. In February, 1830, the Mexican government directed the governor of California to distribute the public lands to such foreigners as could comply with the regulations, taking care, however, that not more than one-third of the inhabitants of any settlement should be foreigners. In spite of these restrictions, immigrants from beyond the Rockies were beginning a resistless, though peaceful, occupation of the richest part of the domain of the Mexican Republic.

California as a Penal Colony

Colonization of California was promoted by the Central Government in some other ways which aroused great anger among the residents. It had long been the policy of Mexico to use the northern province as a penal colony for its criminals, according to a system similar to that of England at Botany Bay in Australia. Offenders were sen-

tenced to terms in the California presidios, a practice which had much to do with the antagonistic feeling rapidly rising between Mexicans and Californians. Several ships brought convicts, who caused much trouble in the northern districts, and when it was reported that all criminals and vagabonds were to be sent to the territories intense indignation was aroused. About the time of the collapse of the Solís rebellion eighty more convicts arrived, and in spite of the angry protests of the inhabitants, were put ashore at Santa Barbara. The citizens could think of no better plan to get rid of the worst of them than to send them across the channel to Santa Cruz Island, giving them a few cattle and some fish hooks with which to maintain life. At the island a fire soon destroyed all they had, and after a time the miserable wretches, getting no relief, built rafts and made their way to the main, landing at Carpintería.

Notwithstanding protests from all directions, in July, 1830, a vessel arrived with fifty more criminals. No attempt was made to confine this batch, and they were distributed through the territory to earn a living under the surveillance of local authorities. A few escaped across the frontier, but the majority remained in California and some became the founders of respectable families. People blamed Echeandía for not preventing their coming, although he had protested against it. At his suggestion the *diputación* voted to request the Central Government not to send any more such unwelcome colonists to the territory, and also approved a plan he had formed for establishing a public workshop in which such of the convicts as had trades should be employed for the public service. From this time the practice of sending criminals by the shipload ceased, although many continued to enter under the guise of soldiers, but the affront

always rankled in the minds of the Californians, and no doubt had its part in weakening the bond between the province and the Central Government.

Indian Revolt Under Estanislao

During Echeandía's administration an Indian outbreak occurred which caused more loss of life than had resulted from the revolt of the soldiers. The leader, the famous Chief Estanislao, Indian though he was, had more ability than Solís, and put up a fight that gave the authorities some trouble. He was a neophyte at Mission San José, where he was at one time *alcalde*. Becoming dissatisfied for reasons not made clear, he ran away from the mission in 1829 and joined a band of renegade neophytes and wild Indians in the San Joaquín Valley, where they fortified themselves in a dense wood and sent out defiant challenges to the soldiers. When Alférez Sánchez reached the place at the head of forty men armed with muskets and a swivel gun, he found the rebels so strongly entrenched that at the end of a continuous battle of two days, during which two soldiers were killed and eight wounded, with unknown losses of the enemy, neither side had gained the advantage. Sánchez, with his ammunition exhausted and his men suffering from the intense heat, was compelled to abandon the siege and leave Estanislao in possession. The Indians were wildly elated by their first victory over the white men, and celebrated it with feasting and dancing. Neighboring *rancherias* were invited to join them, and the uprising threatened to become widespread and dangerous.

It was plain that stronger measures would have to be taken, and a force of one hundred men, a large army for the time and place, cavalry, infantry, and artillery, under Mariano Guadalupe Vallejo, commander-in-chief of the military branch of California, was despatched to the seat

of trouble. Arrived there, the troops were met by a cloud of arrows, and, finding the wood to be absolutely impenetrable, Vallejo set it on fire. The flames forced the Indians to the edge of the thicket, where many were shot down and killed. Cautious reconnoitering revealed a series of pits and ditches in the thicket protected by barricades of trees, which the Indians had constructed with surprising skill. The cannon were brought up against them, but they did not yield immediately, retiring slowly from trench to trench, firing as they withdrew and doing some damage to the soldiers. With their poor arms they could not stand long before cannon balls, and so were finally driven from the entrenchments. In the darkness of the following night many escaped, including Estanislao, who took refuge with Father Durán, by whom he was concealed for some time until a pardon was obtained from the governor. This uprising is notable as proving that the California Indians were not without military genius and courage. General Vallejo himself regarded them with great respect as opponents, affirming that it was often only the superior arms and training of the Spaniards that enabled them to win the victory.

Foreign Visitors—Beechey, Duhaut-Cilly

Not the least important of the events in Echeandía's time were the visits of notable foreigners arriving by sea. In 1825 Captain Benjamin Morrell, of the American schooner *Tartar,* entered San Francisco Bay. The visit of this Yankee captain is chiefly remembered because of a narrative which he wrote describing it, and which is so full of absurdities as to lead Bancroft to refer to him as a "valiant liar." But notwithstanding his exaggerations, he was not a bad prophet when he said that "if the country were the property of the United States it would soon be peopled; magnificent cities would rise upon the coast,

and the interior, then a wilderness, would bloom and blossom like the rose."

On November 6, 1826, the British ship *Blossom,* Captain F. W. Beechey, after a year's cruise in the North Pacific and Arctic Ocean, sailed into San Francisco Bay and moored his ship at Vancouver's old anchorage. A comparison of his description of the place with that of Vancouver shows that surprisingly little change was observable in the surroundings, and such as had occurred was in the direction of decay rather than improvement. He speaks of the ruinous condition of the fort on the bluff, seemingly ready to topple over the precipice into the sea. Like others before him he was struck with the contrast between the natural advantages of the country and the lack of enterprise of its owners, and predicted an inevitable change of ownership unless a change should occur in the policy of the Mexican Government. He observed that great discontent prevailed among all classes—among the soldiers because they had not received any pay for years, and among the padres because their stipends had been cut off and there was a plan on foot to remove the Indians from the control of the missions. Many of the friars, dreading the worst, would willingly have quit the country for Manila. "Some of them were ingenious and clever men," writes Beechey, "but they had been so long excluded from the civilized world that their ideas and their politics, like the maps pinned against the wall, bore the date of 1772, as near as I could read for fly specks." He found some of the missionaries, who were by far the most intelligent of the population, still believing in Maldonado's account of having sailed through the continent from ocean to ocean, and they had never heard of Cook and his successors. As one of the señoras remarked, "California appeared to be as much out of the world as Kamchatka." The visit of Beechey

had no special significance in itself, but is important for the accurate and detailed description of the country and its inhabitants given in the narrative.

In January, 1827, another distinguished visitor arrived on the coast in the person of Auguste Duhaut-Cilly, commanding the French ship *Le Herós,* on a trading voyage around the world. Duhaut-Cilly, himself an educated man, a close observer, and an entertaining writer, was accompanied by Dr. Paola Emilio Botta, afterwards famous as an archæologist and scientific writer. More of the California establishments were visited by this party than by any of the foreigners preceding them, and the narrative of the commander is one of the most interesting ever written on the subject. His relations with the Californians, especially the friars, were always cordial. Bears, rattlesnakes, and earthquakes made the stay of the Frenchmen somewhat exciting, but they became accustomed, so they say, to living among these wild west surroundings. Much of their leisure time was spent in hunting, almost the only recreation provided by the country, and they express astonishment at the multitude and variety of ducks and various kinds of sea-birds.

First Move to Secularize the Missions

Of all the occurrences under Echeandía, however, none was more important than his formulation in 1828 of a plan for the secularization of the missions, and the publication on January 6, 1831, of a proclamation for putting it into effect. The governor and the administration which appointed him desired to place those establishments under secular rule, and to convert the mission towns into civic pueblos, but the peculiar state of affairs made it necessary to approach the matter cautiously, feeling the way by experiments. The friars, who were in bad odor with the government because of their refusal to take the

oath of allegiance to the Constitution of 1824, were still masters of the situation. It was well known that they alone could keep the neophytes in subjection and induce them to work, and the fear was great that, if they should leave in a body before provision could be made for others to take their place, the territory would be without means of support and the people exposed to raids by hostile natives.

The friars were thus placed in an anomalous position —not being wanted and yet not permitted to go. Some no doubt wished to depart, but most were now old men, attached to their mission homes and their Indian wards, with but a dreary prospect for life in Spain, and only wishing to spend the rest of their days in that land where they had labored so unselfishly for the benefit of the poor natives. The law of 1827 ordering the expulsion of all persons of Spanish birth from the territories had no effect on the status of the California friars, for the reason that there was no disposition in that province to enforce the decree.

Governor Echeandía took counsel with Father Peyri and others of the more compliant, and a plan for partial emancipation of deserving neophytes, as a preliminary to full secularization, was evolved. By this plan the missions were to be converted into pueblos, each Indian family to receive an allotment of land and livestock, while the missionaries were to remain as curates of the missions. There is no satisfactory record of the result of this partial secularization, nor any information of the manner in which the neophytes used their new liberty, though some historians say the effect was to make them unruly and restive, some refusing to work in the fields. Captain Beechey, practically the only outside witness of this experiment, regarded it as discouraging. He said the neophytes soon fell into excesses, gambled away

their property, and were compelled to beg or steal.

The complete fulfillment of the Echeandía plan was prevented by a change in the political administration in Mexico, and the appointment of a new governor for California, Manuel Victoria, "a friend of the padres and foe to secularization." But although the plan was not fully realized, it was the first positive movement in the direction of secularization. The opening peal in the death knell of the missions had been sounded.

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Chapter XVI

SOCIAL LIFE OF RANCHO, PUEBLO, AND MISSION

A MUCH more powerful and lasting effect was left upon modern California by the social customs of the Spanish-Mexican régime than by the politics of that era. The daily life of the people, rather than their type of government or their struggle for independence, is what we still see reflected in a hundred ways in our own lives. All the circumstances in the earliest days conduced to extreme simplicity—the pastoral occupations; the distance from the luxurious centers of the world; the small population and lack of social emulation; the scarcity of ready money to spend on frivolities; together with a certain austerity in personal tastes inherited from Spanish ancestors. The life was a peculiar mixture of abundance in some respects, and in others a barrenness almost equivalent to privation. Poverty such as exists at this day was unknown, for no man went hungry; if any needed meat or corn all he had to do was to ask his richer neighbor for it and it was freely given, without money or price, and was not even regarded as a charity or a debt. In the matter of clothing, furniture, or other manufactured articles, it was a different story, for little or nothing of the sort was produced in California. We have seen how great was the privation caused by the withdrawal of the supply ships during the long period of the rebellion of the American colonies against Spain. The mildness of the climate, however, made these conditions easier to bear than they would have been in colder countries.

Pastoral Simplicity

On the great ranchos the life was almost patriarchal in its simplicity. The Spanish-Californian, though not fond of hard labor, was a man of active and rather abstemious habits, arising long before the dawn to partake of a slight breakfast of bread and chocolate, then to mount his ever-ready horse and be off on the daily round of his lands, which in some cases required an entire day. Practically all the actual work was done by Indians, a remarkable circumstance when it is considered how short a time had elapsed since their emergence from a state of complete dependence for a living upon the voluntary offerings of nature.

Food

Evening saw the return of the master, sometimes without having eaten anything during the day, and the gathering of his always large family around the well-laden board. The food was plain, but extremely nourishing, beef forming the principal dish. Californians did not consider venison fit to eat, and pork still less so, while mutton took second place to beef. Water was the usual drink served with meals, though in some parts wine was used in moderation. There was little indulgence in liquor of any kind in those days, and it was not until the advent of foreigners in considerable numbers that excessive drinking became known.

Every rancho produced all the food for the family of the *patrón* and the Indians employed in the fields and as house servants—beef cattle and sheep, wheat, barley, and corn, a little fruit, and certain of the more ordinary vegetables. The summer labors and harvests, with their cattle, supplied most of their wants, supplemented by the fish and wild game with which California abounded in those days. The plain and wholesome food, combined with the

life spent largely in the open air in a climate which was at the same time gracious and bracing, produced a race which was remarkable for its health and beauty of face and form. Travellers are apt to vary in their reports, according to their individual tastes and view-points, but in the matter of the exceptional good looks of the Californians all agree that they were tall, robust, well made, graceful in movement, handsome in feature, and of fine complexion. Bancroft writes on this subject,

> Particularly is the *hijo del pais* (son of the country) well formed, and athletic. Spending his life in manly pursuits, roaming his native hills, breathing the pure air of the Pacific, the horse his companion, the lasso his weapon, he carries about him and into all life's common-places the chivalrous bearing of the cavaliers of old Spain.

All early writers are in accord as to the marked superiority of the Californians in physique over the Mexicans, and many of the first Anglo-Saxons who came wandering over the Sierra admit a feeling of uncouthness in the presence of these graceful Latins. Some of this physical superiority is ascribed to the advantages of the climate, but a part of it may be due to the fact that the Californians kept their Castilian blood purer from intermixture with the Indians than did the Mexicans, a circumstance which may in turn be ascribed to the inferior character of the California Indians as compared with those of the North Mexican States.

As to behavior, the Californians were like all other branches of the human race, in that certain individuals among them were addicted to certain vices; but, says Bancroft, "When we complain of the short-comings of the Hispano-American, let us not forget those of the Anglo-American." The reports of most early visitors are rather favorable in this respect, but commentators of their own race, Vallejo, Alvarado, and others, complain of serious

deterioration after the advent of many foreigners of an undesirable class; it appears that Californians were not always strong enough to resist the force of bad example. The vice of drunkenness, for instance, which became all too common at a later date, was rare in the first days. Richard Henry Dana, who was here in 1834, says that in the whole time of his stay in California he never saw an intoxicated person. The chief fault of the people, as recorded by early visitors, scarcely to be regarded as a vice, was a lack of enterprise and ambition, which was unfortunate for themselves and greatly retarded the advancement of the country. Generally speaking, their faults and vices were those of weakness rather than of wickedness, in which respect they were diametrically opposite to those of American forty-niners of the undesirable class. The memoirs of foreigners, of whatever nationality, all express surprise at the backwardness of the Californians, at their failure to take advantage of the extraordinary resources of the land in which they lived, but on the other hand the visitors warmly testify to the personal charm and generosity of the people, and one and all they sailed away from the shores of California with sincere regret. Walter Colton says, in his *Three Years in California,* "Their hospitality knows no bounds; if I must be cast in sickness or destitution on the care of the stranger, let it be in California; but let it be before American avarice has hardened the heart and made a God of gold."

Amusements

Life on the ranchos was not without its amusements, practically all carried on out of doors, for even much of the dancing was done in arbors built for the purpose. Hunting, not of small game, which was more or less despised, but of the grizzly bear, elk, and wild horse, was that most enjoyed. Grizzlies at that time roamed the

hills and valleys in great numbers, and, being always ready to face the enemy, and requiring sometimes as many as nine bullets before yielding, they afforded sport for the bravest. This element of danger did not deter the women from taking part in it, for they were almost as skillful as the men in the management of horses and throwing the lasso. Some of the most noted hunters did not hesitate to meet a grizzly on foot and in single combat, armed only with a long knife and an ox-hide shield, but as a rule they had the able assistance of their constant companions, the spirited and courageous mustang horses, direct descendants of the pure Arabian stock brought to America by the first discoverers. These horses seemed to take as great a delight as their masters in overcoming the savage bears and fully as savage wild bulls which formed their usual antagonists. The large California elk, now entirely extinct, was a brave animal, and when brought to bay was no mean opponent, while hunting the wild horses, which roamed the interior valleys in great herds, required all the skill and alertness that a man possessed.

There were entertainments of a milder sort, especially the *meriendas,* or picnics, in which entire communities, men, women, and children, joined. The young people, mounted on their best horses, galloped gaily through the flower-decked woods, while the elder ladies, with the children, were satisfied to climb into the clumsy, creaking, solid-wheeled *carretas,* and jolt along behind the slow oxen with much chatter and laughter, to the picnic place, generally a grassy spot in some charming valley. There, after disposing of a hearty and delicious repast of roast chickens, turkeys, *enchiladas, tamales,* and other peppery dishes peculiar to the country, guitars were brought out and the rest of the afternoon was spent in singing and dancing.

Of all amusements that most in favor was the dance, mostly of the folk variety. Every event, public or private, from the birth of a child, perhaps the twentieth in a family, to the arrival of a new governor, was celebrated with a dance. Even death, the one sad thing in the joyous existence of the people, was sometimes welcomed in this fashion, in the case of young infants, who were firmly believed to be translated directly to a happy home in a better world. At the ranch houses it was a rare evening when there were no guests to join the family, old and young, in a few rounds of the *jarabe,* the *fandango,* the *zorrita,* the *contradanza,* or any of a dozen others, before retiring to sound sleep at the usual early hour. At some of the houses as many as fifty guests would be accommodated for an entertainment lasting some days. Fat beeves were killed, and the Indian women were kept busy from morning till night pounding the corn in the *metates* (stone mortars) for the *tortillas* (flat, thin cakes). Hospitality was in the very blood of the Californians, and no traveller paid for his bed and board in those days, even though his journey led him from San Francisco to San Diego. There were no hostelries for public entertainment, either in pueblo or on rancho, for they would have been entirely without custom.

Dwellings

The dwelling houses on the ranchos were of the same type as those in the towns—generally plain, square or oblong structures of *adobe* (sun-dried brick), as simple and unadorned on the inside as on the outside. The use of this material in a country so rich in fine building timber is explained by the absence of saw mills and other tools for the working of wood. Even so late as the American occupation there were but a few sawmills in the country. As it happened, the plan used turned out to

be particularly well adapted to the climate. With their thick walls, fairly impervious to heat or cold, and the large, spacious rooms, these dwellings were warm in winter and cool in summer. At first they were built on high spots, bare of surrounding trees or bushes, as a defence against attacks by the Indians; but, as time passed and this fear was seen to be baseless, charming gardens and fruit orchards were planted around them. The Spanish women were famous gardeners, and their skill in floriculture soon embowered the white-washed adobes in a mass of bloom.

Furniture, except in the case of the richest persons, was scanty, confined to the most necessary articles; but those who could afford it obtained fine mahogany pieces and other articles of luxury from the trading ships. Every house had its altar for worship and a print or two on the wall of the Virgin and Child. The chief care of the women was lavished upon the beds, which even in the poorest houses were often covered with elegant lace and silk spreads and pillow cases. The women were all skilled seamstresses, famed for their fine lace and "drawn work," and if the men could justly be charged with indolence, no such charge could be brought against the women, who utilized every spare moment of their waking hours in some sort of work. In truth, no more industrious women ever lived than those of Spanish California.

Dress

In dress the well-to-do *ranchero* was rather more of a dandy than men of his profession are usually supposed to be; in fact there was little of the farmer about his appearance, as the following description of his customary dress by José Arnaz indicates:

> Shoes of deerskin embroidered with gold or silver thread; breeches of cloth, velvet, or satin reaching to the knee, and open

on both sides, bordered with gold braid and silver buttons; vest of velvet, silk, or cloth, and over it a short jacket of blue, black, or green cloth embroidered in gold and silver thread. Add to this outfit a gay sash of red satin bound around the wearer's slender waist, and a wide sombrero with a cord of silver or gold encircling the crown, worn jauntily tipped on one side.

The equipment of the horse ridden by the above described gentleman was scarcely less gorgeous than that of its master, the gaily embroidered trappings sometimes almost entirely covering the animal, with bridle heavily mounted in solid silver, and long stirrups nearly sweeping the ground.

In comparison with the dress of the men that of the women was rather plain. Alfred Robinson describes the costume of middle class females in 1829 as generally consisting of

a chemise with short embroidered sleeves, richly trimmed with lace, a muslin petticoat flounced with scarlet and secured at the waist by a silk band of the same color, shoes of velvet or blue satin, a cotton *rebozo* or scarf, pearl necklace and earrings, with the hair falling in broad plaits down the back. Others of the higher class dress in the English style, and instead of the *rebozo* substitute a rich and costly shawl of silk or satin.

Fashions varied somewhat in the different periods, but on the whole there was little change, and it was said that a man could wear his grandfather's hat or coat and never be noticed.

Family Relations

Family relations, though somewhat formal, were intensely affectionate. No society ever existed in which there was a stronger love between members of the same family, particularly between parents and children. Yet a strict discipline was observed, and fathers were privileged to administer corporal punishment upon sons of even sixty years of age—in fact, the father's authority ceased only with his death. No son dared to smoke in the pres-

ence of his father, and it was necessary to ask permission even to sit. Dances were always opened by the elders, while the young people stood by and awaited their turn. Older persons were privileged to inflict physical chastisement upon children and young people when they saw fit, even where there was no relationship. Families were generally large, ordinarily numbering from fifteen to twenty, or even more, children to the family, to which were often added six or more orphans, for to undertake the care of an orphaned child was considered a privilege rather than a burden, and persons would compete for them.

Society was truly democratic, and there was little adulation of money, but pride of ancestry, especially of pure Spanish blood, was strong. All that has been said of the ranchos applies with equal force to the towns. Pueblo life, though somewhat more elaborate, practically consisted of the same round of simple duties and pleasures as that of the ranchos. Hospitality was exhibited as generously, the host sometimes carrying his attention for the guest so far as to leave a sum of money on a table in the spare room, to save the visitor the embarrassment of asking for a loan in case of necessity. And if this attention was accepted and the recipient neglected to return the money the host in his turn promptly forgot all about it. If a traveler arrived with an exhausted horse, as often happened, in the morning he found a fresh one, ready saddled and bridled, awaiting him.

The pueblos, presidial, civic, or mission, never reached the status of more than sleepy little villages. In 1800 the united population of San José, Los Angeles, and Branciforte was only about 550, divided among one hundred families. The entire white population of California in 1848 is estimated at about 14,000, divided nearly equally between Spanish and foreigners, with probably between 3,000 and 4,000 mission Indians still living near the pueb-

los and ranchos, and as many more scattered among the gentiles.

Social Rivalry of Towns

Los Angeles and Monterey were rivals as the social centers of the province, while Yerba Buena, as San Francisco was called during the first years, was said to be less cultured. The last named town had grown up spontaneously on the spot known as *El Parage de Yerba Buena* because of a small vine which grew in profusion there. The importance of this place, which lay about three miles from the presidio, consisted in the good anchorage for ships furnished by the little cove in front of it. This natural circumstance decided the actual site of the now famous city. Yerba Buena was first laid out as a town in 1839 by order of Governor Alvarado. The growth of the little settlement was slow, and in 1844 it contained only about twelve houses, and not over fifty permanent inhabitants. In January, 1847, by order of Lieutenant Washington A. Bartlett, first American *alcalde* of the place, the name was changed to San Francisco, thus bringing presidio, mission, and town under the same appellation. The place continued to be a mere village until late in the '40's, when, with the political events leading up to American occupation, it took a sudden leap forward.

Municipal Regulations

The government of the pueblos was in the hands of that autocratic personage, the *alcalde,* who had almost unlimited powers. He settled both public and private business, and endeavored to keep a censorship over the morals of the community. There were strict laws against gambling, regulations of the manufacture and sale of liquor, keeping late hours, and even a private citizen had to obtain a license before he could give a dance in his own house. Manners and customs were much the same

as on the ranchos, and in fact the wealthier rancheros shared their time between their ranches and town houses. The people of the whole province were inordinately addicted to amusements, particularly to the dance.

Bull and bear fights, a form of entertainment somewhat varied from that of old Spain, were extremely popular, and were generally conducted in the public plaza in front of the church. It is quite probable that even the friars took the opportunity to peep out at the exciting spectacle. A bear was caught and brought in alive, then placed in the arena and tied by one foot to the bull, after which the two unhappy animals fought it out until one or the other was killed. Cock fighting and horse racing afforded another chance to the people to gamble away their money, for they were all, including the Indians, inveterate gamblers. Rancheros would sometimes wager the greater part of their possessions on the result of a horse race, while the Indians would risk the shirts on their backs and even their wives and children.

The dress of the townsmen was as gay as that of the countrymen, and no better example of a "glass of fashion" of the day can be given than that of Don Tomás Yorba, dressed to sally forth. Upon his head he wore a black silk handkerchief, the four corners of which hung down his neck behind. An embroidered shirt, a cravat of white jaconet, tastefully tied, a blue damask vest, short breeches of crimson velvet, a bright green cloth jacket, with large silver buttons, and shoes of embroidered deerskin, comprised his costume. With his tall figure arrayed in this fashion, and his sword hanging by his side, he was every inch the Spanish *caballero*. On feast days his entire display often exceeded the value of a thousand dollars, which was the equivalent of a much larger sum in our day.

Education

Education was at a low ebb during the entire Spanish-Mexican period, notwithstanding the earnest efforts of various governors to encourage it. Such schools as existed were held in empty granaries or other outhouses, the teachers being usually superannuated soldiers, whose only qualification was some slight knowledge of reading, writing, and figuring, and whose chief assistant in instruction was the *disciplina,* a sort of cat-o'-nine-tails, liberally applied. Yet, despite these discouraging conditions, a certain number of the more ambitious young men managed to acquire a fair classical education, through private instruction generously and gratuitously passed on to them by educated priests and military officers, and especially by foreigners, such as William Hartnell, who was a scholar with a thorough knowledge of half a dozen languages. Alvarado and Vallejo, who both owed their knowledge of the classics and other branches to such private sources, complain in their memoirs that the friars were bitterly opposed to education for the masses, basing their objections on the ground that it would only result in discontent and unruliness, and that book knowledge was useless in the lives led by the common people. For the latter argument there was perhaps some basis, since in a country where there were no learned professions little material advantage was to be obtained from the study of books. At any rate, the clergy carried their opposition so far as to burn books of a free-thinking kind which were now and then smuggled in. Notwithstanding the lack of formal education among the people in general, they did not seem uncultured, an advantage which they owed to their Latin grace of speech and manner, and especially to their universal talent for music, both for voice and instrument. At any time of day, from the morning hymn at

dawn to the evening prayer at dusk, the sound of singing might be heard proceeding from nearly every house.

Health and Medicine

The health of the people, both on rancho and in pueblo, was remarkably good, a fortunate circumstance in view of the almost total lack of medical practitioners. There was generally a surgeon at the presidio of the capital, usually a graduate of the best medical schools of Spain, but in such a wide and scattered community, with no means of travel except on horseback, it was impossible for these men to give much attention to the sick. Even white men were sometimes reduced to the point of applying to the Indian "medicine men," who added to their arts of wizardry some real knowledge of the use of native herbs. They were said to be especially proficient in curing arrow wounds, no doubt through long practice. The women were all nurses by nature, and skilled in the use of simples raised in their own gardens. Altogether, with the advantage of their own fine health, the people got on remarkably well without the help of physicians, and many examples of astounding longevity are quoted among them. It is surprising also to discover that they had knowledge of some scientific facts not known to the world in general until a much later date. For instance they were aware of the contagious nature of tuberculosis and had their strict rules for guarding against it.

Morals of the People

In point of morals the Californians compared favorably, on the whole, with the people of other countries in the earlier times. Theft was extremely rare, and murder was without example. Honesty in money matters was so invariable that no one thought of taking a bond or note for a debt. Cheating and fraudulent creditors were not

known. Sea captains would sell goods to *rancheros* along the coast on credit and return in twelve or eighteen months for their pay in produce. "I never heard of a complaint," says one writer, "against California *rancheros,* from Argüello's to Figueroa's time." Banditry was unheard-of until after the beginnings of American occupation. The famous bandit, Joaquín Murietta, ascribed his course of conduct to brutal treatment on the part of American miners, but it is impossible at this date to verify the truth of his accusation. "The era of crime," says J. M. Guinn, "in California began with the discovery of gold."

Hospitality at the Missions

The missions, although primarily religious institutions, played an important part, at least in the beginning, in the social life of the community. Even such affairs as wedding dinners were often given at the missions and presided over by the priest in charge. Harrison Rogers, of the Jedediah Smith expedition, describes such an affair at San Gabriel. The locations of the missions, at intervals of a day's travel along the Camino Real, made them convenient stopping places for travelers in a country where there were no inns. The Spanish friars, those who came in the first days, were all superior men, for Spain sent out her best as missionaries. Their lives in the lonely missions, with no companionship but that of one assistant of their own kind and the degraded Indians, must have been cruelly monotonous, and it is easy to understand that the wayfarer who dropped in for a night's lodging must have received a warm welcome. Accommodations were of the rudest sort—a bed of rawhide, a meal of the simplest viands none too well cooked by the Indian servants, no fire with which to dry wet clothing—for the missionaries lived like anchorites, with no care for the material things of life. The heartfelt warmth of their

greeting, however, made up to the guest for these discomforts, which after all were better than a bed on the hard ground by the roadside, the only alternative.

Situated in a highly favored land, blessed with abounding health, content with simple pleasures, untroubled with ambition, full of a child-like joy in living, the Californians sang and danced their way through life, the happiest people in the world. There was but one cloud upon their horizon—the threatened loss of their Arcadia to an alien race.

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Chapter XVII

FIRST BLOW FOR INDEPENDENCE

AS has already been intimated, a period of unrest, such as usually follows revolutions, occurred in California after the separation of the Spanish-American colonies from Spain. There were various causes for the successive rebellions against constituted authority which continued to take place almost up to the time of the American conquest. The revolt led by the convict Solís was a "strike" of the soldiers for their pay; that against Governor Victoria, which we are about to narrate, was the refusal of the people to submit to the suppression of their legislative body by a self-constituted dictator.

Feeling between Californians and Mexicans

In a general way, there was constantly growing resentment in the colony towards the Central Government for its indifference and neglect, and a feeling of contempt and dislike among the colonists for the Mexican governors who were sent to domineer over them. Underneath all this unrest and dissatisfaction there was doubtless a half-conscious desire for freedom from rulers whom the proud Californians regarded, with some justice, as their inferiors. These successive revolutions, which were generally bloodless affairs, were perhaps precursors to a final movement for complete independence from Mexico and the establishment of the Republic of California, had not the trend of events been interrupted from another quarter.

Political changes in Mexico were naturally reflected in California, and when the conservative party gained the

lead in 1830 the clericals, who had been somewhat under an eclipse, were once more triumphant. This resulted in a change of governors for Alta California, and on March 8, 1830, José María Echeandía, liberal governor, was supplanted by Lieutenant-Colonel Manuel Victoria, militarist, conservative, and opponent of secularization of the missions. Previous to this time Echeandía, with the full consent, in fact with the urgings of his government, had made a number of movements towards secularization, which were bitterly resented by the missionaries but favored by the people in general. Up to this time all his steps had been strictly legal, but on hearing the news of the change in administration he arbitrarily issued a decree of secularization, on January 6, 1831, and attempted to rush it into immediate effect before turning over the government to his successor. To gain time for this purpose, on various pretexts he delayed going south to meet the new ruler—hardly honorable conduct on his part.

An Unpopular Governor

The newly arrived governor found an unfriendly public waiting to receive him, a feeling which was greatly heightened by the fiery eloquence of José María Padrés, an enthusiast in the cause of liberty who had recently come from Mexico, and who soon had a large and devoted following of young Californians—the Carrillos, Osios, Vallejos, Picos, Alvarados, Bandinis, and others. While Victoria was impatiently waiting at Santa Barbara for the retiring executive to come to meet him, he heard of the decree of January 6, and at once took steps to interdict its publication in the south and prevent its execution in the north, where it had already been published.

Although Victoria was in the service of the Republic, he was not republican in his sympathies, and he once told the people of Monterey that they would be better off if

military authority were restored. Arbitrary by nature, and accustomed to the direct methods of the soldier, he soon had a host of enemies about his ears. He is described as half Indian by blood, a tall lean man of such dark complexion as to inspire the people to dub him "the black governor," with the rough and ready manners of the camp. He was a man of most determined character, with absolute faith in the justice of his opinions and his ability to uphold them. He was perfectly convinced that everybody opposed to him was in the wrong, and though he was accused, with much foundation, of being a despot and tyrant, yet there is no doubt of his honesty, nor that he believed everything he did was proper and right. His contempt for the character and courage of the Californians was such that he regarded himself as a whole legion in comparison with them. Altogether the ideas with which he entered office were not calculated to win the adhesion of the high-spirited Californians or to secure the tranquillity of the country.

During the rule of the easy-going Echeandía justice had been carelessly administered, and crime had too often gone unpunished. Victoria at once announced that all this would now be changed. He had strict ideas of discipline, and no doubt of his own ability to enforce the laws, and is said to have boasted soon after his arrival at Monterey that before long he would make it safe for any man to leave his handkerchief or watch lying in the plaza until he might choose to come for it. He set out to reform abuses without preparing the public for the reforms, and in his haste to take a short cut to justice was none too careful about adhering to the constitution. When the death penalty was ordered and promptly put into effect for robbery of small sums and such minor offenses Californians were shocked, and began to look upon their new governor as a bloodthirsty monster. It

mattered not that these executions put a stop to robberies and made the country safer, for they were unconstitutional, and hence gave Victoria's enemies a handle against him and hastened his overthrow.

Nor did the high-handed ruler stop at undue severity in the punishment of ordinary criminals, for he showed a disposition to ride roughshod over his political opponents, thereby lighting the spark of the revolution that was to prove his own undoing. Several citizens, including Abel Stearns, who had become a naturalized Mexican, José Carrillo, and Padrés, were arbitrarily exiled from the country, without trial or legal authority. Finally he violated the constitution by refusing, despite many requests, to convoke the *diputación,* thus taking the entire government into his own hands.

These and other despotic acts of Victoria make it clear that Californians had every reason for the movement that was rapidly gaining ground to drive him from office. Personally brave, honest, energetic, devoted to what he thought were the best interests of the territory, nevertheless he adopted methods for preserving order that were those of a military dictator rather than of a constitutional governor. In refusing to convoke the assembly, in trying an *alcalde* by court martial, and in banishing Mexican citizens without proper forms of trial, he went far beyond the authority of his office. In the hatred engendered by his tyrannical acts, contemporary Californians have given an unjust estimate of his personal character. They regarded him as a cruel tyrant, at whose hands the lives of all good citizens were in danger. They gave him no credit for a sincere desire to establish good order, and a genuine belief, based upon reasoning that was later shown to be well founded, that the best interests of the Indians were not likely to be served by removing them from the control of the missionaries. It

must not be forgotten that the underlying motive for the opposition to Victoria was, after all, his interference with the pet scheme of the young California party for secularization, yet his violation of the constitutional rights of the people in other matters gave them strong legal cause against him and provided them with a distinct advantage in the struggle that was to follow.

Amid the general chorus of angry criticism aimed at the governor but few voices were raised in his favor. The friars restricted their expressions of opinion to approval of his abrogation of Echeandía's decree of secularization. His harsh punishment of Indian offenders was probably a bitter dose for them to swallow, for they always endeavored to stand between their wards and any sort of injustice. One of them went so far as to throw himself at the feet of the governor and beg for the life of a young boy who had stolen a trivial sum, but it was refused. Feeling had become so extreme on both sides of the question of secularization that neither could see the slightest virtue in the other. To the pros those on the other side were tyrants and oppressors of the human race, while the cons regarded their opponents as robbers and birds of prey, waiting only the opportunity to devour the substance of the poor Indians. The struggle was beginning to take on some of the violence of the American quarrel over slavery.

In the midst of the excitement the foreign residents, who were now present in considerable numbers, remained, for the most part, discreetly silent, although some of them were more favorable to the governor than they thought it politic to admit in the face of the strong movement against him. Although many of them had become naturalized citizens of Mexico, politics interested them less than their financial progress. Revolution was destructive to these interests, so they favored the consti-

tutional authorities, as being most likely to preserve stable conditions. With them business came before the "rights of man," and Victoria won their confidence by the firm stand he took with evil doers and his ability to keep public order. Abel Stearns was the one foreigner who took part in the conspiracy for his overthrow, and he, of course, had a personal grievance. Anyway, Stearns was a natural-born politician, and could never resist taking a hand in such controversies.

The Californians, on the other hand, preferred the indulgent Echeandía, and were immeasurably shocked by Victoria's rigor in administering justice. His frequent inflictions of the death penalty for minor crimes inspired fear and horror among them rather than confidence. Juan Bandini writes, "I recollect the sad and painful spectacle which a few days ago was presented by the execution of some unfortunates without the customary council of war which is ordered for such cases by the decree of the National Government of September 27, 1823."

But nothing, perhaps, aroused the anger of the people against Victoria so much as his continued refusal to convoke the *diputación,* which he excused on the conviction, possibly justified, that the sessions would be largely devoted to schemes of interference with his own policy and measures. Petition after petition, signed by such prominent men as Vallejo, Osio, Ortega, and Castro, was sent directly to the governor, finally taking on a threatening tone, but Victoria remained immovable. It brought from him, however, a *manifesto* to the public in which he defined his policy in decided terms, saying he was convinced of the illegality of the election of the greater number of the members of the *diputación,* and their seditious purposes, and that he was determined it should not meet

again until a decision should be reached from the Supreme Government.

The language of the manifesto, dictatorial as it is, sounds like the words of an honest, well-intentioned man, and gives the impression that if Victoria had been less domineering in his methods he might, indeed, have become one of the best governors California ever had. The proclamation only added fuel to the fire, however, and brought out angry protests from various prominent citizens. Representations were sent to Mexico complaining of the governor's refusal to convoke the legislative body, and of his various arbitrary acts, calling upon the Supreme Government to protect the people against his oppressive usurpation.

Revolt against Victoria

All this while Stearns and Carrillo, from their retreat south of the border, were actively fomenting the movement against the governor. Carrillo secretly returned to San Diego, and there in company with Juan Bandini and Pío Pico, on November 29, 1831, drew up and signed a formal *pronunciamiento* renouncing allegiance to Victoria. This document embraced substantially the following points: the suspension of Victoria, the vesting of the civil and military commands in two separate persons, and the provisional resumption by Echeandía of both commands until such time as the *diputación* could take action or the decision of the National Government could be received. In it the expatriation of the citizens José Antonio Carrillo and Abel Stearns was given as one of the chief motives for the rebellion. The *pronunciamiento,* the first issued in California, if one excepts that of the convict Solís in 1829, was signed on December 1, 1831, by Echeandía, the three original signers, and all the officials.

After taking possession of the presidio and garrison at San Diego, the insurgents, with a little army of about fifty men under Captain Portilla, one of Victoria's officers who joined in the rebellion, marched to Los Angeles. There they found most of the inhabitants in jail by order of Victoria, and naturally the plan of the revolters was accepted with enthusiasm.

In the meantime the governor had heard of the trouble in the south, and, having no doubt of his ability to cope with the despised Californians almost single-handed, he set out from Monterey with only about twenty men. At Santa Barbara he was joined by Captain Romualdo Pacheco with a detachment of a dozen regular soldiers, making in all no more than thirty. Full of confidence that he would be able to quell the revolt in short order, and no doubt counting implicitly upon the fidelity of his officers, the fighting governor marched on to Los Angeles. A few miles from that place, near Cahuenga Pass, he had an unpleasant surprise, for he came upon his own captain, Portilla, posted upon a hill in battle array, with one hundred and fifty insurgents from San Diego and Los Angeles, mostly raw recruits. With utter contempt for his opponents, Victoria advanced alone and called upon Portilla and his soldiers to come over to his side. They refused, and he then directed his men to fire a volley, but, as the shots went over the heads of the enemy, they were probably aimed to frighten rather than to harm them. The southerners replied with a few shots, then, their courage failing, they turned to run away, but Victoria was due for another disagreeable surprise.

Bloodshed between Mexicans and Californians

Among the Angelenos was one of a different temper, a dare-devil by the name of José María Ávila, who had been a wild and reckless fellow in his youth, but dashing

and popular and noted for his skill in horsemanship. At this moment Captain Romualdo Pacheco, perhaps misunderstanding the orders of his general, rode out alone into the space between the two opposing forces. Ávila, seeing this, thought Pacheco wished to challenge to single combat, and, accepting the challenge, sprang forward to meet him. Like two knights of the days of chivalry, while their companions looked on in stupefied amazement, they rushed upon each other, lances leveled. Carried past by the impetus of his horse, Ávila turned in his saddle, drew a pistol and shot Pacheco through the heart. The action then became general, and in the mêlée that followed Ávila in his turn was unhorsed and killed, some say by Victoria himself, who received a deep lance wound in the face which incapacitated him from continuing the battle.

This was the first blood shed between men of Spanish birth in California, and it was with sad feelings that citizens who had taken no part in the encounter carried the bodies of Ávila and Pacheco to the pueblo of Los Angeles, where they were followed to the grave the next day by the entire population. The chivalrous young soldier, Pacheco, left a widow to mourn him and an infant son but a month old, the Romualdo Pacheco who afterwards became governor of California under American rule. This contest has been called a one-man battle, for it was won by the daring of one man, José María Ávila, who paid with his life for his bravery.

As for Victoria, although his wounds were not fatal, they were severe enough to compel him to abandon the field and retire to San Gabriel Mission. While recovering from his injuries in his retreat, he evidently thought over the whole matter and came to the wise conclusion that the opposition to his rule was so widespread that there was little hope of overcoming it, especially as he

had but a handful of loyal soldiers to aid him. It is possible also that his respect for the valor of the Californians had gone up after receiving some painful wounds at their hands. At any rate, he sent word to Echeandía that he was not only willing but anxious to return to Mexico, promising to leave California forever. His offer was accepted, and some weeks later the fallen governor sailed for San Blas on the American ship *Pocahontas*. Thus was the first blow struck for independence.

The way was now clear to set up the government which Echeandía and his party had proposed in their *pronunciamiento*. Determined not to have another dictator, they had provided for the separation of the civil and military authorities by the *diputación*. Disagreements began almost at once among the proponents of the new government. Echeandía took the reins until the meeting of the *diputación* at Los Angeles on January 10, 1832, when two subjects were given immediate attention—first, the proper presentment of the charges against the deposed governor; second, the naming of a temporary *jefe político* (civil chief), as the new governor was to be called. Pío Pico was chosen for this office, but was opposed by Echeandía, who declared him incompetent and his election irregular, and a wrong to himself. Pico, rather than resort to arms to establish himself, resigned his office, stating that he would hold the *diputación* responsible for any disorders that might ensue. He made no further claim to the office, although under the plan of revolt he was entitled to it, in this acting the part of a patriotic citizen. Echeandía's conduct at this time does not appear in a very honorable light, apparently being dictated by personal ambition and jealousy rather than by any sincere regard for the success of the cause he had professed to support.

Internal Disagreements

In the meantime, while Echeandía was playing false to his friends in the south, trouble was arising from another angle in the north. When Victoria marched against the insurgents at Los Angeles, he left in command at Monterey his secretary and friend, Captain Agustín Vicente Zamorano. So far as can be learned, Zamorano took no part in the rebellion of 1831, nor did he make any effort to defend his chief in his time of need. Now that Victoria was out of the country, and knowing that the popular feeling in favor of Echeandía was lukewarm, especially in the north, the ambitious officer thought he saw an opportunity to advance himself.

His first step was to win over to his side the foreign residents, who, though they had taken no decided stand in the recent revolution, had been inclined to favor Victoria because of his preservation of order and strict administration of justice. His violations of the Mexican Constitution were to them of little consequence, so long as they could conduct their business affairs without interference. In fact, they were opposed to all revolutions as being destructive to their own interests, which they feared were threatened by rumors of dissensions in the south. They disliked Echeandía and had little confidence in Pico, and therefore were willing to act in defence of good order at the capital, as they took the Zamorano movement to mean. Having been convened by Zamorano on January 24, 1832, they proceeded to organize a *compañía extranjera* (foreign company), for the defence of Monterey against attack from the interior or from any other quarter. Nearly fifty joined the company and elected William Hartnell captain. Although they were not called upon to strike a blow in the ensuing troubles, the affair is noteworthy as being the first time that foreigners took a

hand in any of the revolutions that occurred in California.

A *junta* of prominent men was held in which it was decided, first, that the acts of the *diputación* at Los Angeles were illegal; second, that no *jefe político* should be chosen until the Supreme Government should appoint one; third, that a military force should be sent to Santa Barbara to guard against attack by the "rebels," as the members of Echeandía's party were called. All proceedings were to be reported to the Supreme Government, with mention of service rendered by foreigners. In accordance with these orders, Captain Ibarra started south with a military force in February, while the defence of Monterey was left to the *compañía extranjera*. The people were very much alarmed by rumors that the mission Indians, who were devoted partisans of Echeandía, were flocking to his standard and were busily engaged in drilling. Nothing came of these war-like preparations, for the truth was that none of the adherents of either side had the least desire to shed the other's blood, and the affair soon entered the stage of negotiations. Californians never did enjoy killing anybody, and the bloodless nature of their encounters, which took the form of political protests rather than war, is to their credit, rather than a matter of ridicule, as treated by some historians. A truce was concluded in the early part of May, by which it was arranged that the military command should be divided between Echeandía in the south and Zamorano in the north. The sway of the former extended over all territory south of San Gabriel, while the latter ruled over that north of San Fernando.

This dual arrangement, apparently so fraught with possibilities for mischief, worked surprisingly well, and from June to December of the year 1832, California enjoyed a state of political quiet. There were no disor-

ders on the part of the people nor oppressive acts on the part of the rulers. Both parties seemed to be on their good behavior while they waited for a new governor and the decision of the Supreme Government on their past acts.

A New Governor Is Chosen

The attention of President Bustamente of Mexico was now turned to the choice of a ruler for the distant territory of California. If the idea of separating the military and civil commands had ever been entertained, it was abandoned on receipt of the news of the revolt. In the eyes of the authorities conditions seemed to call for a strong military government, and the choice finally fell upon Brevet Brigadier-General José Figueroa, an able man who had been prominent in Mexican politics since 1820. Figueroa had been comandante-general of Sonora and Sinaloa for five or six years, a position which gave him an opportunity to learn something of California affairs. He was not of the same party politically as the Bustamente administration, which has led some historians to suggest that his appointment to this distant post was dictated more by a desire to get rid of a troublesome foe than by consideration of the interests of California. Whatever may have been the motive, the selection of this man was destined to make a greater change in California than had taken place since Portolá made his famous march up from the south.

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Chapter XVIII

FADING OF SERRA'S DREAM

José Figueroa, Greatest of Mexican Governors

WHEN Governor Figueroa arrived in California, he found conditions far more favorable to his rule than had confronted the unfortunate Victoria. The people in general, already inclined in his favor by what they knew of his reputation, and tired of the unsettled state of affairs, were pleased at the prospect of again having a regular government. Altogether the skies looked bright for the new ruler, who, although a military man like his predecessor, had very much of what the French call *savoir faire*. Like Victoria he was said to have a considerable mixture of Aztec blood in his veins, and he himself ascribed his great sympathy with the Indians to that cause. In looks he was far from handsome, being rather below medium height and thick-set, somewhat stooped in the shoulders, of swarthy complexion, with piercing eyes, abundant black hair, and protruding teeth. But any defects in appearance were more than made up by a natural talent for governing, a superior education, and extremely affable and fascinating manners, which soon won for him great personal popularity, and quite overcame the prejudice against Mexican governors entertained by the Californians. Withal, he was unostentatious and democratic, making it a point to treat the poorest Indian with as much consideration as the highest official. If we add to his agreeable personality the fact that his very first act was to issue a proclamation granting amnesty to all who had taken part in the disturbances of 1831-32, it will be seen that everything presaged a

happy rule under this mild but firm leader. He met with no opposition from the recent revolutionists; both factions hastened to offer their allegiance, endeavoring to outdo each other in their efforts to explain their actions in the Victoria affair.

The Zacatecan Friars

On the same vessel with Figueroa came ten friars from the Franciscan College of Zacatecas, sent to fill vacancies in the ranks of the Fernandinos caused by death and otherwise. They were not as a class the equals of the friars from San Fernando, although certain individuals among them were noted for their intellectual and moral qualities. Immediately after their arrival the Zacatecans were put in charge of the seven missions from San Carlos northward, the Fernandinos retiring to the southern establishments, where the climate was considered more suitable to their advanced age. The new friars, who were all Mexican by birth, encountered many difficulties at first in managing the Indians and getting on with the whites, for both were prejudiced against them.

Strengthening the Northern Frontier

One of the important acts of Figueroa's administration was the move to take firmer possession of the territory to the north. By the treaty of 1819 the Oregon region had been ceded by the Spanish Government to the United States, and the northern boundary of Spain's holdings on the Pacific definitely fixed at the 42d parallel. Mexico had now fallen heir to these holdings, which gave it undisputed claim to territory extending more than four degrees latitude north of San Francisco; but the only establishments which it had to secure its claim to this large extent of country consisted of two missions, San Rafael and San Francisco de Solano (commonly called

Sonoma). Little was known about this region, and Governor Figueroa took active steps to open it by sending Alférez Mariano Guadalupe Vallejo, afterwards "Comandante of the Line of the North," to make explorations and look for a suitable site for a presidio. Two parties of settlers were established by Vallejo, one at Petaluma and the other at Santa Rosa, while he himself sowed ten bushels of wheat, the beginning of the great private estate which he afterwards built up there. The town of Sonoma also owes its start to Figueroa, who sent Vallejo at a somewhat later date to found it. So the country north of San Francisco Bay, although no presidio was ever established there, was provided with a thriving settlement as a "constant and sure sign" of the proprietorship of the Mexican Republic. It was Figueroa, too, who originated the town of Yerba Buena by inducing William A. Richardson to settle there with his family and build the shanty which was the first structure, apart from the presidio and mission, on the site of the present city of San Francisco. In return for this Richardson was made collector of the port by Figueroa.

The Struggle over Secularization

But all other issues of the administration of this governor were overshadowed by the burning question of secularization. The point had been reached where something definite had to be done, and the instructions of the Government to the new executive bore very strongly upon this matter. Figueroa has been fiercely attacked by many historians as the man who destroyed the missions; but the records show quite conclusively that he acted simply as the agent of his government, and that he attempted as far as he could to mitigate the evils that he saw could not be avoided. He made every effort to warn his government that the Indians were utterly unfit for this sud-

den move, and to bring it to a realization that the change would have to be made gradually.

Exactly what was meant by the much-talked-of project of "secularization of the missions"? The object in sending out missions to the heathen was two-fold. On the part of the government it was to reduce the natives from a state of savagery into peaceful, law-abiding, and, above all, tax-paying and revenue-producing subjects; while the missionaries had but a single thought, the saving of the souls of the unfortunate benighted heathen. In the regulations for the mission movement there was a fatal defect—the clause setting ten years as the limit of time at the end of which the Indians might be considered sufficiently instructed in civilized ways to leave the protecting fold of the missions and be settled in independent pueblos, subject to the same laws as other citizens. This change involved the removal of the temporal properties from the hands of the friars and placing them under the management of civil administrators, while the religious care of the new citizens was to be left to secular priests. The missionaries were then supposed to consider their labors finished and to depart for other fields.

A brief study of history will show what folly it was to expect that ten years would produce this radical change in the character and habits of an absolutely barbarous people like the aboriginals of California. In other cases it has required hundreds of years to educate savages up to the point of making citizens of them, and generations more to make them good citizens. That the idea was totally unreasonable was fully recognized by Figueroa, who realized that to give unconditional liberty to the Indians meant their destruction. Yet there were many reasons why institutions based, as were the missions, on a paternal system, could no longer continue. The problem

was a knotty one, similar, though on a smaller scale, to the American question of negro slavery. The Indians were not slaves, it is true, in the same sense as the negroes, for their bodies could not be sold to the highest bidder; but they were subject in all things to the missionaries, and, since they were forcibly brought back when they occasionally ran away and reverted to their former wild life, they could not properly be regarded as free men. The whole situation was incompatible with republican principles, and no doubt many Californians sincerely believed that to talk loudly about the "rights of man" and at the same time withhold them from a whole section of the populace was an inconsistency that could no longer be endured. On the other hand, the constant contention of the friars that the Indians were really children in their mental development, still requiring parental control, and that the missionaries alone were qualified to exercise that control, could not be combated.

In Mexico sentiment for secularization grew stronger and stronger, and yet there is evidence that the government feared the consequences of any sudden move in that direction. Figueroa's instructions were to approach the subject as a gradual rather than a sweeping change, and to make a thorough investigation of all conditions bearing upon the problem in California. In compliance with these instructions he made a personal tour of the southern establishments, and in addition asked the prelates for their opinion of the proposed plan. In their replies, very clearly and eloquently stated, it was made plain that although six times ten years had passed since the cross of Christ was first raised aloft at San Diego by Serra, the natives seemed no nearer the day of independence. They worked in the fields, in the mission shops, made brick and tiles, herded cattle, and did whatever else they were told

to do—certainly a tremendous advance over their original condition—yet little progress had been made towards individual effort. It has been the custom to blame the paternal system of the missions for this fact, but the suffocating effect upon individualism of their own age-old community way of living surely had much to do with it, as it did in the case of all other American tribes. In all but age and physical strength and capacity to do evil they were indeed still children, as the missionaries declared. The replies of the prelates and his own observations convinced the governor that the missions were not yet ripe for complete secularization, and he hastened to warn the Supreme Government in a letter dated October 5, 1833, that the Indians were still totally unfit for sudden emancipation.

His warning, however, came too late, for the sentiment for emancipation which had been gaining momentum in Mexico for twenty years had culminated in a sweeping decree of August 17 providing for the general secularization of the missions of Alta and Baja California. This was the third step in the great movement, and as it was the first to be put into effect, it spelled the downfall of the missions. The first move was the decree passed by the Spanish Cortés on September 13, 1813, which was never enforced in this frontier land; the second was Echeandía's attempt of January 6, 1831, which was declared to be based on the preceding law, but which failed because of the interference of Victoria. The third, and far-reaching, step taken by the Mexican Congress was passed before Figueroa's letter advising against it had started on the long journey to the capital. By this decree the religious welfare of the Indians was provided for by placing the spiritual management of the missions in the hands of secular priests, that is, not missionaries; but a wide loophole was left for all sorts of "graft" by the

omission of any plan for disposing of the valuable property controlled by the missionaries.

The Hijar Colonizing Scheme, 1834

At this point a new element was injected into the already troubled situation by the arrival of a party of colonists from Mexico under the leadership of the agitator José María Padrés, who, it will be remembered, had been banished from the territory by Victoria. He seems nevertheless to have been not unfavorably received by the Mexican Government, which issued a decree authorizing the use of the Pious Fund to pay the expenses of transporting and maintaining the families of these colonists. This fund was originally devised, in 1697, by the famous Father Ugarte of Lower California for the founding and maintenance of missions by the contributions of private individuals, and the government had absolutely no right to its use. With the promise of this aid and the coöperation of a prominent Mexican citizen, José María Hijar, Padrés set eagerly to work and soon got together a party of more than two hundred and fifty persons for his new colony. In character and education these settlers were very superior to any before sent to California, but in one respect they were ill-chosen for the needs of a frontier country, for there were too many doctors, lawyers, teachers, goldsmiths, and artisans, and not enough farmers. This error of judgment contributed largely to the failure of the colony, as will be seen.

The character and purposes of Padrés are regarded in a very opposite light by different historians. Vallejo, Alvarado, Osio, and other contemporaries rate him as a plain "land grabber" and "grafter," whose plan was a deliberately concocted plot to plunder the missions, but this opinion seems not to have been justified by the evidence and the judgment of Mrs. Ord and other writers

of the period concerning the integrity of the character of Padrés. It is Bancroft's decision that "the enterprise on its face was legitimate, the objects ostensibly praiseworthy, and the methods lawful." Hijar and Padrés did not meet as warm a welcome as they had expected from the young Californians, partly, perhaps, because of the influence of Figueroa, although both Vallejo and Alvarado frankly admit that the chief reason for the defection was the fact that Padrés had brought with him twenty-one Mexicans to become administrators of the missions, whereas, under the old plans, Californians were to have had these places.

Whatever the differences in opinion among the leaders, something had to be done with the newly-arrived settlers, and preparations were made to establish them on the northern frontier, where it was hoped that they would serve as a bulwark against the Russians. The majority of the people were finally gathered at the mission of San Francisco de Solano, from which most of them were transferred to Sonoma Valley. It was soon seen how unfitted they were for this life, and, failing to obtain employment at their various professions and trades, finding it difficult to get provisions from the missions on account of the failure of discipline among the Indians, they spent a very uncomfortable winter, during which they were compelled to live as a burden on the charity of Vallejo and Figueroa. In their grievous disappointment some of them talked violently, and gave occasion to Figueroa to round up the most restless, with their leaders, and return them to Mexico. Some of the best remained, however, and became useful and respectable citizens of the community, leaving to their descendants such honored names as Coronel, Ábrego, Noé, Serrano, Prudón, Covarrubias, besides many others, so that despite its failure as a col-

ony the experiment left an appreciable impress upon the province, and a noticeable improvement in its culture.

Figueroa's Plan for Gradual Secularization

The worried governor, convinced as he was that a sudden change in the mission system would be disastrous both to the Indians and to the territory, proposed to the *diputación* a plan for secularization and administration by which the neophytes would be gradually emancipated. By this plan such Indians as were best fitted for personal freedom were to be given fields and building lots, farm implements and domestic animals. The institutions were to be converted into pueblos a few at a time, beginning with ten and continuing with the others in succession. The friars were to continue to handle the religious functions until they could be replaced by parish priests. Half of the land and livestock was to be distributed among the neophytes, while all the remaining land, stock, and property of all kinds was to be in the care of administrators, the income to be used for the support of curates, the pay of the administrators, expenses of worship, schools, and other requirements. Figueroa began immediately to appoint *comisionados,* who at once set about their duties. The land and property were partially distributed, as the proclamation provided; the Indians were considered emancipated; the friars were no longer managers of the temporalities; and the establishments were in effect converted into pueblos.

To the surprise and chagrin of Figueroa, the Indians did not accept their new freedom with much joy, but hung about the missions, apparently reluctant to leave the places which had been their homes for so many years. They were also no doubt disappointed because the new regulations prevented them from selling their new lands

and property and spending the proceeds in gambling and riotous living, which was the only use they had for money. As for the friars, they accepted the new order of things with less bitterness than might have been expected, even though it must have been very galling to stand aside and watch others take possession of the fine property which they had spent years of labor in building up. But the change had been long threatening, and they resigned themselves to a realization that their cause was lost and endeavored in good faith to adapt themselves to the new conditions. Old in years and weary with much service in the vineyard of the Lord, they were personally glad to lay down the burden of their onerous duties. Yet they did not leave at once, for there was much difficulty in getting secular priests to take their places, and the people were in such fear of outbreaks among the Indians if left entirely uncontrolled that they were not willing to let the missionaries go. Hence they were placed in an anomalous situation, not being wanted yet not permitted to go.

Effect upon the Indians

The Superior Government made no attempt to interfere with Figueroa's plan, which he had evolved on his own responsibility, and secularization was continued by groups until in 1836 the last establishment, Santa Clara, founded January 12, 1777, passed out of existence as a mission. The results of the new policy were nowhere what had been hoped for. Honest administrators were hard to find; the missions were rapidly impoverished; and the Indians, in whose interests the plan was devised, received from it more harm than benefit. They got little of what had been created by their labor, while the administrators and their friends, many of them members of the "first families," were enriched from the spoils of the missions. Large land grants were issued by Figueroa

to both Californians and naturalized foreigners, who stocked these immense tracts for the most part with the cattle of the religious establishments. The Indian pueblos that took the place of the missions were a failure. The natives had no respect for the new officials, and disturbances were reported in many places, especially in the south. The former neophytes made away with the property that was given them, in spite of the rule against it, bartering it for liquor, and soon they were left with nothing. They failed to cultivate the land, and it soon passed to other individuals. Deprived of the fostering care of the missionaries, the buildings and all property connected with them rapidly fell into decay. The cattle were killed by the Indians for food or sold to traders from Santa Fé and other points for gewgaws. Some of the friars were accused of wanton destruction of the property, especially of wholesale slaughter of the cattle, and there is evidence that this was true in some cases, but there were plenty of other ways to account for the disappearance of the herds. In short, the gloomy prophecies of the friars were more than realized.

Harassed by all these difficulties and worn out by his exertions, the governor died of an attack of apoplexy on September 29, 1835. He passed away lamented by all, and his body lies in the mission church at Santa Barbara, "in one of the niches under the sanctuary floor." He left an honored name as the best of the Mexican governors. He was an intelligent man of good intentions, and although he is chiefly remembered as the governor who precipitated the downfall of the missions, yet it is the general opinion of historians that had he lived to supervise the working out of his famous *reglamento* the results would have been far different. Its failure was due to the manner in which it was administered, rather than to any defect in the plan itself, and without it the spoliation

would have been even more rapid and complete. Of the character of Figueroa one finds in the writings of contemporaries nothing but eulogies. His death was followed by several years of political turmoil, during which time little attention was given to the affairs of the missions. The administrators were allowed practically a free hand, and the looting of the property went on almost unchecked. Every one who needed cattle to stock his ranch seemed to feel himself privileged to draw on the fast dwindling mission herds, which once roamed the hills and valleys in such vast numbers.

Secularization Completed by Pío Pico

Some efforts were made, by Alvarado and Micheltorena in particular, to restore the missions to their former glory, but the day of restoration was gone, and the ruin continued apace. During the rule of Pío Pico the final blow was struck by the authorization of the sale or rental at public auction of the mission estates, on the ground that it was the only way to obtain money for defence in case of war with the United States, which was then threatening. By the end of two years all but Santa Barbara had passed into the hands of private individuals. Pico makes out a fairly good case for himself, pointing out that California had been abandoned to its fate by the Superior Government, and that in the event of attack by a foreign power it had no means even to buy powder and shot except what might be realized from the sale of the missions.

When the American flag was raised at Monterey on the 7th of July, 1846, little was left of the once flourishing mission establishments; the carcass had been picked nearly to the bones. Some of the property had been sold, some rented, and much squandered. Even the Pious Fund, originated for the sole benefit of the missions, had

been virtually confiscated by the Mexican Government. In October, 1842, President Santa Anna issued a decree ordering that all the estates of the fund should be incorporated in the national treasury. In 1868 a commission met to adjust claims between the United States and Mexico; and while it was still in session in 1870, the Catholic authorities in California put in a claim for California's share of the income from the fund. Because of a difference of opinion between the two governments, the case was submitted to an umpire, Sir Edward Thornton, who awarded in favor of the California claimants $904,070.99, to be paid to them in Mexican gold. Mexico turned over this amount, paying the last installment on January 20, 1890. The question then arose of the interest accruing since 1869, with the result that in 1902 it was placed before the Tribunal of Arbitration at the Hague, being the first case ever acted upon by that body. The matter was decided in favor of the Californians, but up to this time Mexico has failed to pay anything on this award.

During this troubled period the church suffered a heavy loss in the death of Fray Narciso Durán. On June 1, 1846, after a residence of nearly forty years in California, the aged priest, the last of the Fernandino prelates and one of the ablest, broken in body and spirit by the sad spectacle of the decay of the institutions in which he had labored so faithfully, laid down the heavy burden of his existence. By his death not only the church, but likewise the Indians, lost an irreplaceable friend, who never ceased to plead their cause with all the fervor of an ardent zeal and the eloquence of a brilliant and clear intellect. In point of ability he was a worthy successor of Serra and Lasuén, but it was his fate to serve in the missions in the period of their decline, and his passing marked their end, for no successor to him was ever appointed.

So faded the dream of the great idealist, Junípero Serra. Never again was any similar effort made, either by the Californians or their successors the Americans, to better the condition of the poor Indians, who were practically trampled out of existence in the gold rush of 1849. The missions are commonly spoken of as gigantic failures, but this is not a fair judgment. In the first place they were never intended to be permanent institutions, but were supposed to be transferred to the regular clergy as soon as their purpose of preparing the natives for Christianity and a civilized life had been accomplished. The mistake was in allowing a preposterously short time for this purpose. The whole subject of the accomplishment of the missions is admirably summed up in the following quotation from Judge John W. Dwinelle, who, as one of the earliest of the American arrivals, had excellent opportunities to form a reliable opinion:

> It was something, surely, that over thirty thousand wild, barbarous, and naked Indians had been brought in from their savage haunts, persuaded to wear clothes, accustomed to a regular life, inured to such light labor as they could endure, taught to read and write, instructed in music, accustomed to the service of the church, partaking of its sacraments and indoctrinated in the Christian religion; and that this system had become self-sustaining under the mildest and gentlest of tutelage; for the Franciscan monks, many of whom were highly cultivated men, who had been soldiers, engineers, artists, lawyers, and physicians before they became friars, always treated the neophyte Indians with the most paternal kindness, and did not scorn to labor with them in the field, in the brick-yard, the forge, and the mill. . . . When we view the vast construction of the mission buildings, including the churches, the refectories, the dormitories, the workshops, the granaries, the materials for which were sometimes brought many miles on the shoulders of the Indians, we cannot deny that the Franciscan missionary monks had the wisdom, sagacity, and patience to bring their neophyte pupils far forward on the road from barbarism to civilization, and that these Indians were not destitute of capacity.

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Chapter XIX

LAST DAYS OF THE CABALLERO'S RULE

FOLLOWING the death of Figueroa came a period of rapidly succeeding changes in the field of politics which may be aptly likened to the shifting colors of the kaleidoscope. Revolution, civil war, secession, and restoration trod upon each other's heels without apparent order or purpose, yet all were but manifestations of a great general movement towards independence for California. During those periods when the colonials held the reins of government in their own hands there were many dissensions, but on one point—opposition to Mexican governors—they were united. One after another these foreign rulers, as they were now regarded, were ousted and home rule substituted. California had practically won her freedom when the United States,—as the inevitable outcome of years of peaceful penetration by Americans, of Thomas O. Larkin's earnest efforts towards acquisition without resort to arms, hastened by rumored designs of the British to seize the country,—took possession and put an end to the projects of the Californians.

Kaleidoscopic Politics

Figueroa had managed more by the force and charm of his personal character than by any governmental authority vested in him to win the love and retain the allegiance of the people; but after his death they began to grow restive again, and the conditions that followed were not conducive to stability. The constant veering of administration policies in Mexico between liberal (or federal) views, and conservative (or centralist), contributed

to the unrest in California, where these changes were to an extent reflected. At this time the mother country had taken a step backward in her progress towards democratic government, so far backward, in fact, as to repudiate federalism altogether and repeal the constitution of 1824. This in itself boded ill for peace and quiet in the territory, where the people in general were stoutly opposed to centralism. The flame of liberty always burned high in the breasts of the Californians, and they were strongly disinclined to accept a reactionary policy. The teachings of Padrés and other advocates of the "rights of man" had borne permanent fruit in their minds, especially of the younger men.

In accordance with the will of Figueroa, Nicolás Gutiérrez succeeded him as governor *ad interim* until the regular appointee should arrive. The rule of Gutiérrez, which was purely accidental and lasted but four months, was marked by no important occurrence unless it was the formal recognition of Los Angeles as the capital of California. By the persistent efforts of José Antonio Carrillo, one of the leaders of the southern faction and *diputado* to the Mexican Congress, a decree had been secured on May 23, 1835, to the effect that "The pueblo of Los Angeles in Alta California is erected into a city, and it will in future be the capital of that territory." The news of this decree, while jubilantly received in the southern city, had the effect of a bombshell at Monterey. The popularity of Governor Gutiérrez in the north was not increased by his recognition of this decree.

Another Mexican Governor Ousted

The regular appointee, Colonel Mariano Chico, was preceded by a reputation that by no means promised well for the success of his administration. Reactionary in politics, unpopular by reason of his Mexican birth, and

made more so by an unpleasant temper and disagreeable manners, despotic and arbitrary by nature, he soon made himself the most hated governor that California ever had. Public resentment rose higher and higher, until at last it boiled over altogether, and Chico was expelled from the country, breathing fire and fury as he departed and threatening to return with a body of troops and take vengeance. The affair was so adroitly managed by those who wished to get rid of him that their purpose was accomplished without coming into open conflict with the National Government. The truth was, Mexican governors were no longer welcome in California, and one after another they found the place too hot to hold them. The spirit of independence mounted higher and higher; the people no longer called themselves *Mexicanos,* but *Californios.*

The Movement for Home Rule

After the expulsion of Chico the civil and military commands fell by law to Nicolás Gutiérrez, who had already served as governor *ad interim.* This time he was in for a more stormy career, for though he was an easy-going, inoffensive man, yet, as a Spaniard by birth, he was regarded as a foreigner, and the first excuse that came to hand, a mere petty quarrel between him and Alvarado about the customs service, was seized for his overthrow. Although the Californians had not yet reached the point of entertaining so radical an idea as absolute independence, they were fixed in their determination to secure home rule for the territory. There was nothing unreasonable in their attitude. Why should a Vallejo, an Alvarado, a Carrillo, or any other Californian of their class be content longer to play second fiddle to outsiders whom they felt to be their inferiors? Why should they not object to the administration by Mexican officials of

the scanty revenues from the shipping trade? Moreover, frequent contact with foreigners had opened their eyes to the backwardness of Mexico in many respects, and ambition was awakening to keep abreast with the times. But they did not as yet feel themselves strong enough to walk alone, hence the first phase of their struggle was for California as a free and independent State of the Mexican Republic, with "home rule" in its internal affairs. The ease with which they had expelled Victoria and Chico emboldened them.

Juan Bautista Alvarado

Not only were conditions ripe to strike a telling blow in the cause, but a leader possessing every qualification for the purpose and eager to leap into the fray was ready at hand. The young and brilliant Juan Bautista Alvarado, although at this time but twenty-seven years of age, had, through his natural talents and superior education, already made himself a leading figure in the politics of the province, and was now a member of the *diputación*. As an *hijo del pais,* endowed with great personal magnetism and the gift of eloquence in such a high degree that it was said he could make people believe black was white, he was extremely popular with all classes, and his opposition to centralism placed him before the public as a patriot. Besides all this, his knowledge of the English language and frequent association with foreign residents guaranteed him their support.

A pretext soon arose, as has been said above, for a revolt against Gutiérrez. The people were now fixed in their determination to win the right to manage their own affairs. Alvarado and José Castro put themselves at the head of about seventy-five men, armed with such antiquated muskets as they could gather up. On the march to Monterey the revolutionists were joined by the noto-

rious Isaac Graham, an American trapper and hunter who had abandoned his legitimate trade for the more profitable and easier one of running a whisky distillery in the Pajaro Valley. Graham, a backwoodsman from Tennessee, was a reckless fellow with a following of similar character, whom some writers have endeavored to picture as chivalrous knights breaking a lance in the cause of liberty. The truth probably was that they were induced to join the revolutionists by promises of lands and other favors; and Alvarado had good cause to rue the day when he availed himself of their services.

The little "army," made up of Graham's band of fifty riflemen, Indians, Americans, and renegade Mexicans, with one hundred Californians under José Castro, now set out on the march to Monterey, where they arrived late on November 3, and quietly and without bloodshed took possession of the fort. One cannon ball was fired and had the good luck, though it was sent on its way by a lawyer who had to look in a book to find out how to fire it, to strike the house of the governor, which so terrified him that he incontinently surrendered and was at once put aboard a ship bound for Mexico, the third governor from that country to be ignominiously sent back where he came from. With him went most of the Mexican officials.

California a Free and Sovereign State

On November 5 the revolutionists took peaceful possession of the place, won in this battle of a single shot. The people, with their usual light-heartedness, accepted it as an occasion for several days of festivities. Alvarado wrote to Vallejo, "It is wonderful, Uncle, with what order our expedition has been conducted. Everybody shouts *vivas,* for California is free." On November 7, 1836, the *diputación* issued a proclamation declaring Alta California a "free and sovereign State," until such

time as Mexico should restore the Federalist Constitution of 1824. It was a sort of conditional "Declaration of Independence." Alvarado was named as governor, Vallejo as military chief, and Monterey as capital, while the *diputación* took on the higher title of Constituent Congress. A long step had been taken in the direction of the establishment of a Republic of California. Alvarado admitted that a flag with a lone star for its device had been prepared for a new republic, but the victorious insurgents lacked the courage to raise it, and the Mexican banner was still kept floating in public places. Yet with every such step the separatist movement gained ground.

When the news reached Mexico, the government, furious against the daring rebels, fulminated a swarm of violent proclamations, threatening all kinds of dire punishments; but troubles nearer home soon came up to occupy attention, and the Californians were in the meantime allowed to govern themselves. Internal quarrels began almost immediately to monopolize the energies of Alvarado, first native-born constitutional governor, the office having been filled only in a provisional capacity by Luís Argüello after the separation from Spain.

Disagreements Between North and South

This was California's hour to take its place among the nations of the earth as a free and independent state; but individualism triumphed over patriotism, and the hour was lost. Sectional jealousy again raised its head in the south, where the *abajeños* (those down below) were aggrieved because the revolution had been entirely engineered by the *arribeños* (those up above). San Diego had its special grievance, for it had long wanted the customhouse, but had been unable to wrest it from Monterey. These disagreements finally resulted in an armed encounter, near San Buenaventura, between the forces of

the north and the south, with Castro at the head of the northerners and Carrillo in command of the southerners, in which a great deal of powder was burned but only one man was killed. After still another skirmish, at Las Flores, in which the two "armies" met in "a battle for the most part of tongue and pen," Alvarado used the force of his persuasive eloquence upon Carlos Carrillo and induced him to disband his troops, thus ending all further opposition.

In August, 1838, Alvarado received the welcome news of his confirmation as governor of California by the Mexican Government. Some of his contemporaries express great surprise in their memoirs because the government conferred this honor upon a man who was lately in rebellion against it, but the truth probably was that the central authorities cared little who was governor of California so long as he did not ask for money or troops to defend his position. William Heath Davis thinks it was because Alvarado used his "spell-binding" art upon them in a letter addressed to the president. At any rate, the two home rulers, Alvarado and Vallejo, nephew and uncle, were now invested with unquestionable authority. The governor returned triumphant to Monterey at the end of January and was received by the people with the joyous acclaim with which they met every event—salutes, speeches, races, feastings, and dancing.

A few years of respite from internal dissensions now followed, permitting the governor to devote some time to affairs that had been sadly neglected during the struggle to make his position secure, and he found trouble enough waiting for him. The missions rapidly fell into dust and silence during his administration, notwithstanding his effort to save something from the wreck by appointing William Hartnell as inspector. The ruin was not altogether due to dishonest administrators. The mission

Indians were at least partly responsible for it. They immediately disposed of the property that was distributed to them and preyed upon what was left, ably assisted by the gentiles, or wild Indians, with whom they had again made friends. Bands of marauding white men from beyond the Sierra also made raids on the more exposed missions, running off the horses and mules and killing the cattle for provisions. Indian uprisings began to break out along the frontier, and there were rumors of renewed insurrection in the south, where Pío Pico resentfully sulked at the refusal of the *Junta* to place the capital at Los Angeles.

Worst of all, the relations between Alvarado and his uncle and co-ruler became less cordial as time went on. Vallejo was extremely zealous for the good of his department, and in his desire to improve its efficiency interfered with his advice in matters which Alvarado regarded as outside of his province—such as foreign trade and the public revenue. A quarrel finally arose between them which lasted as long as they remained in control of the government, and at last resulted in their loss of that control.

The Graham Affair

There were other matters to cause anxiety to Governor Alvarado. The fear of foreigners was rapidly growing in these years. Their character, for one thing, had changed greatly for the worse since the days of the coming of such men as Hartnell, Spence, Cooper, Fitch, Stearns, Robinson, Davis, Larkin, Warner, Leese, and others of the superior class who came before the gold era. Isaac Graham was an exception among the immigrants of the early '30s, for he was a wild ruffian at the head of a band of wild ruffians, and there was good reason to fear that these lawless strangers might seize the first

opportunity to take possession of the country. Alvarado has been accused of trumping up a charge of conspiracy against these men as a pretext to get rid of them; but they were in any case a turbulent and undesirable element in the population, so they were finally arrested, and about forty-six of those considered to be the most dangerous were sent in irons to San Blas. This action on the part of Alvarado was not strictly legal, but many of the respectable foreign residents approved of it, for the presence of Graham and his followers had become a menace to the entire community. The relief was only temporary, however, for the British consul took up their cause in Mexico and they were acquitted of the charge of conspiracy and awarded an indemnity; and in July, 1841, the citizens of Monterey were astounded to see Graham and some two dozen of his former companions disembarking from a ship in that port, well clothed, prosperous, and as insolent as ever. So ended the celebrated "Graham affair," to which more importance has been ascribed than it deserves.

Return to Mexican Rule

In the meantime the friction between the civil and military rulers had become so pronounced that it could no longer be ignored by the Home Government. Each had asked to have the other removed, and the authorities decided to gratify their wishes by removing both and appointing a new governor to fill the two offices. So once more California lost the right to rule itself through the inability of its sons to sink their personal differences for the good of the country. On December 31, 1842, the joint rule of Juan Bautista Alvarado as civil governor and Mariano Guadalupe Vallejo as comandante-general of the military, both distinguished and able *hijos del pais,*

came to an end, although they still continued prominent in California affairs.

The newly appointed executive, General Manuel Micheltorena, who had won distinction as a soldier with Santa Anna in the Texas campaign, arrived quite suddenly at San Diego in August, 1842. It was soon evident that he possessed many of the personal qualities calculated to win the affections of the people. In appearance he was exceptionally attractive—tall, slender, handsome, gracious in manner, with an erect, military bearing, speaking excellent Spanish and French. All accounts make it plain that he was an agreeable gentleman and a well-meaning man, who honestly tried to serve the people, unable, however, to cope with the almost insuperable conditions that seemed to conspire against him. The most troublesome of these circumstances was the convict army with which his unwise government had handicapped him. An important part of his instructions was to check, as far as possible, foreign immigration, which, in view of the recent experience in Texas, was causing the government much alarm. To aid him in this object he was provided with a military company mainly made up of criminals and riff-raff—and thereby hangs the tale of his subsequent discomfiture. As Vallejo said, it was like sending "wolves and tigers to be guardians for sheep and lambs." Added to the bad character of these men was the unfortunate fact that they were not receiving their pay from the government and were in a state of the utmost destitution. Micheltorena, who was a kind-hearted man, said, "It is hard to shoot a hungry, unpaid soldier for pilfering food."

In any case, they had hardly arrived before they began their depredations upon the citizens, and the San Diegans, who had received the new governor with the usual fiestas and rejoicings, were only too glad to speed

the parting guest when he started northward, taking his *rateros* (scamps) with him. Traveling like a prince, he was everywhere received with distinguished attentions, and the people, always ready for a holiday, arranged a series of grand dinners, fandangos, bull fights, and races in his honor. In their delight in merrymaking they forgot all about home rule, and welcomed the new Mexican governor with enthusiasm.

But on the way up Micheltorena was met by a startling piece of news that for a time put a sudden end to fandangos and gaieties. At this point it is necessary to digress for a moment to remind the reader that the hostilities which led to war between Mexico and the United States were on the eve of breaking out. Commodore Thomas Jones, in command of the American fleet, being under the mistaken impression that war had already been declared, made a hurried run from Peru and raised the flag of the United States at Monterey. Becoming convinced of his error within a few hours, Jones restored the Mexican flag and the difficulty was composed in a friendly manner, as will be recounted more in detail in the American period.

Governor Micheltorena had many troubles to contend with besides the rascalities of his soldiers. The old quarrel between Monterey and Los Angeles about the capital location kept cropping up, and Pío Pico never ceased to plot for the recognition of the southern town. Outbreaks of the Indians continued to cause much anxiety. As for the dreaded foreigners, although Micheltorena had brought his convict army for the express purpose of restraining their coming, he made no use of his soldiers for this object, but, on the contrary, treated all strangers kindly, granting large tracts of land in the Sacramento Valley to Job Dye, Dr. John Marsh, William Knight, P. B. Reading, A. G. Toomes, and others. As a conse-

quence he was decidedly popular among the foreigners; yet he feared them, and, like many others of his countrymen, foresaw the inevitable fate of California.

Expulsion of Micheltorena

Troubles from the inside, however, were destined to cut short the career of Micheltorena before the country came to a clash with the outsiders. He had done much to win the favor of all classes. He had made up out of his own pocket losses caused by the thievery of his men; he had pleased the friars by restoring the missions to their care, even though it was too late to save the moribund system; he had established better schools in the province than had ever been known before; in short, no non-native governor since Borica had done so much to make himself liked by the people. But the hunger for home rule among the more ambitious of the Californians began to make itself felt once more, and an excellent excuse for revolt against the governor was ready to hand in the constantly increasing depredations of his soldiery, over whom he had no great control. The Californians regarded the presence of these convict troops as a bitter insult, the last straw heaped upon them by the home government. It became more and more evident that Micheltorena, in spite of his personal popularity, had to go.

In November, 1844, the revolution finally broke out, under the leadership of Alvarado and José Castro. General Vallejo held aloof from the actual conflict, but used his best endeavors to keep the peace by urging Micheltorena to obey the request of the people and send away his soldiers. On November 22 the governor marched against the rebels, meeting them near San José. After an encounter in which argument took the place of fighting, the treaty of Santa Teresa was concluded, whereby Micheltorena agreed to settle the trouble by sending

his *cholos* (rascals) out of the country within three months. The harassed governor was now placed between two fires, for he had no authority from his government to carry out this promise; so it was soon evident that he had no intention of doing it, but was using the time gained in winning foreigners to his side and making preparations for military resistance. By this course of conduct, which was in a measure forced upon him, he lost the regard of the people and turned what had been no more than a protest against the outrages of his men into a revolution directed against himself. Hitherto there had probably been no thought of deposing him in the minds of the people at large, whatever the politicians might have intended; but now there was a fixed determination to drive him from the country.

There was no sufficient reason for the foreign residents to take a hand in the quarrel, but many of them did so, on one side or the other. Their motives were various, but, generally speaking, may be said to have been based upon personal interests rather than any regard for the good of the country. Isaac Graham joined the forces of Micheltorena chiefly in the hope of avenging himself upon Alvarado, whom he had never forgiven for his arrest and exile. Abel Stearns took sides with Alvarado and Castro to gratify his intense hatred of all Mexicans and the rancor which he still nursed for his treatment by Victoria. John A. Sutter made a contract to aid Micheltorena with all the forces at his command in consideration of all expenses paid and a large grant of land in addition to that already obtained from Alvarado, besides documents authorizing him to grant lands to settlers in the Sacramento Valley. In short, there was a great difference of opinion, and the campaign opened with a considerable contingent of foreign residents, mostly Americans, lined up on each side.

On January 20 Los Angeles was captured by Castro and Alvarado, after a fight in which, contrary to precedent, several men were killed. The "silver-tongued" Don Juan Bautista then spent a week in winning the people to his side by reminding them of the rascalities committed by Micheltorena's soldiers; of the governor's own treachery in employing foreigners and Indians against his own people; of the dangerous power that would be wielded by Sutter in case of success; and other irresistible arguments. He succeeded in recruiting to his cause a company of about fifty foreigners, and on February 21 Castro left Los Angeles at the head of the revolutionists and marched to meet the enemy.

Sutter Takes Part Against the Californians

Sutter, who persisted in his determination despite the earnest entreaties of Vallejo, marched southward on January 1, 1845, at the head of a force of 200 men, consisting of one hundred riflemen of all nations under Captain Gantt, eight or ten artillerymen, and about one hundred drilled Indians armed with guns and bows and arrows. At Salinas Sutter joined Micheltorena, and the combined force marched on to San José.

On February 20, the opposing armies met at Cahuenga Pass and engaged in a two-day artillery duel, in which care was taken to keep at such long range that there was little danger of any one being hit. The foreign contingents on both sides had now awakened to the folly of shooting each other in a quarrel in which they had no real interest; so, after a conference of representatives in a ravine between the two camps, they resolved to withdraw from the conflict.

When Micheltorena realized that his foreign allies had abandoned him, he lost heart and agreed to capitulate—to leave the country and take his jail-birds with him. It

was in late March that he departed, and as the ship sailed out of the harbor of Monterey the people heaved a deep sigh of thankfulness, for though no one disliked the governor personally, his soldiers had become an unbearable scourge. It is thought by many that Micheltorena was quite as relieved to go, for he had already seen the handwriting on the wall, and knew that it was a losing fight in any case. So departed from the soil of California the last of the Mexican Centralist governors. With his going the rule of Mexico in California came to an end forever, for even though the flag flew some months longer, the old allegiance was a thing of the past. By the revolution of 1844-45, Californians against Mexicans, the virtual independence of California became an accomplished fact before the completion of the American Conquest.

Separation of the two departments of government was now restored, with Pío Pico as civil governor and José Castro as military *comandante.* Once more was opportunity for independence offered, and once more was it lost, for the rest of the political history of California until American occupation is one of petty intrigue and sectional dissension, which promised to lead to another civil war in 1846 had not the United States entered and permanently put an end to the strife. The old wrangle between north and south was immediately revived. Pico used his position to remove the capital to the southern city, but Castro and the other northern officials held on to the customhouse at Monterey. It was a house divided, and trouble was to be expected from such a situation. There were constant disagreements about the division of the revenues; the finances of the government became hopelessly involved; debts piled up; salaries were seldom paid. Pico was in a position to control legislation, but Castro had possession of the funds. The foolish quarrel between *comandante* and governor, between north and

south, between customhouse and legislature, continued to drag along in a fruitless and undignified fashion. There is little doubt that this state of affairs contributed much to reconciling the people in general to the momentous change that was about to take place in the political fortunes of California. This great change, by which the richest of all the Mexican provinces was to fall to the United States as part of the spoils of war with Mexico, was imminent. Even while Pico was on his way to attack Castro news came of the arrival of a large force of Americans in the vicinity of Monterey. The warring sons of the soil forgot their differences to unite under José María Flores for the common defence.

Attitude of the Californians to American Occupation

The recountal of the events connected with the transition of sovereignty from one country to the other naturally falls to the American Period, but a few words may be appropriately said here in regard to the attitude of the Californians in general towards this change. While some regarded it with bitterness and resentment, going so far as to propose voluntary entrance of the province into one of the monarchies of Europe, preferably England, many others accepted it with resignation, some even with satisfaction, as being the best hope for the tranquillity and progress of the country. A circumstance which contributed greatly to the last named attitude was the extensive intermarriage which had taken place from the early '30s between Californians and Americans, which naturally produced a certain bias towards the United States.

Mariano Guadalupe Vallejo

Among those who favored voluntary entrance into the Union was that most distinguished and fore-sighted of all the *Californios,* Mariano Guadalupe Vallejo, who

urged it on the ground that it was inevitable in any case and in this way all useless bloodshed would be avoided. Under American rule Vallejo was reduced from the position of a real potentate, owning practically unlimited lands, on which he employed hundreds of Indian laborers, to comparative poverty and obscurity; yet such was his magnanimity that he writes in his memoirs, "The inhabitants of California have no reason to complain of the change of government, for if the rich have lost thousands of horses and cattle, the poor have been bettered in condition." After the transfer of government he rendered valuable services to the United States in aiding in the formation of the first constitution and as a member of the first state senate. Many historians believe that in recognition of these services and his own great qualities of mind and heart his statue should have been placed in the Hall of Fame at Washington side by side with that of his famous compatriot, Junípero Serra.

The peaceful, pastoral days of California under the mild, unprogressive rule of the *caballero* were nearly over, to be followed by that of the pushing, ambitious, determined Anglo-Saxon, whose story will be told in the succeeding pages.

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Chapter XX

CALIFORNIA'S HERITAGE FROM SPAIN AND MEXICO

WHEN the Americans took over California they acquired much more than the mere land and its potential riches. In every part of the Western Hemisphere in which Spain planted its characteristic civilization it left its imprint deeply etched in the survival of its language and institutions; in the names of rivers, mountains, towns, and cities; in types of architecture; in social, religious, and economic customs; in legal usage; and, above all, in a romantic atmosphere which has colored the literary product of the entire West. To quote Bolton's *Spanish Borderlands,* "Nor is this Hispanic cult —or culture—losing its hold. On the contrary it is growing stronger. The Southwest is as Spanish in color and historical background as New England is Puritan, as New York is Dutch, or as New Orleans is French." As a matter of fact, never did a mother country leave a more permanent heritage of its own peculiar features to its colonies than did Spain.

The Language

Even at this day there are large numbers of people in California to whom Spanish is as familiar as English, and it is the favorite choice among foreign languages for study in schools and colleges. The English language as spoken in the West has been enriched by the addition of hundreds of words of Spanish and Mexican origin, which fall as naturally from the lips of the modern Californian as words of his own tongue. Let us quote a few

which are in current use in spoken and written speech everywhere in the state: *adobe,* sun-dried brick; *arroyo,* a creek or its dry bed; *cañada,* a deep valley; *cañon,* a narrow passage between high banks; *chaparral,* a thicket of low, brambly bushes; *corral,* pen for live-stock; *embarcadero,* landing place on the edge of water; *placer,* place where gold is found free in loose earth; *plaza,* open square in a town; *pueblo,* a chartered town; *rancho,* tract of land used primarily for pasturage; *rodéo,* round-up of cattle for branding; *sierra,* literally a saw, but frequently applied to a range of saw-toothed mountains; *tule,* water reed; *vaquero,* a cow herder. This list might be greatly extended.

Place Names

As for the place names of Spanish origin, their importance to California in historical significance and æsthetic attraction can scarcely be over-estimated. Each name has its own romantic story, and, from the great modern city in the north which commemorates the gentle Saint Francis, to the equally great southern city called Our Lady of the Angels, they are like a series of guide-posts, tracing the course of Spanish empire as it took its way along the coast, then into the interior valley, then up the slope of the Sierra Nevada. Thickly clustered in the long, narrow strip between the Coast Range and the sea, and thinning out markedly as one goes further east, their grouping on the map indicates clearly the progress of Spanish settlement. The frequent occurrence of San and Santa shows the religious character of the first invasion, while variety is given by the more picturesque, if less pious, names chosen by the soldiers. The map of California is so plentifully sprinkled, in fact, with Spanish names that any visitor from old Spain must feel at home here. Fully to realize the debt owing by California

in this respect to its first colonists it is only necessary to make a comparison between the names of Spanish origin in the Sierran region and those dating from the days of gold—on the one hand, *Mariposa* (butterfly), *El Dorado* (the gilded man), *Merced* (mercy); and on the other hand, Hangtown, Red Dog, You Bet, One Eye Creek, with many others of the same contrasting character.

Generally speaking, names were first applied to rivers, creeks, bays, mountains, or capes, as being the most striking natural features of the country and those most important to the progress and welfare of the discoverers. As time passed and the country developed, towns were built on the banks of the streams or bays and often received the same names, which in some cases were later adopted to designate the counties in which they were located. For instance, it was the bay which was first called Monterey, in honor of Viceroy Gaspar de Zúñiga, Count of Monterey in Mexico, and the town built there later was known by the same appellation, which was still later applied to the county. The city and county of Sacramento, situated near the center of the Great Valley, received their name from the river, which was christened in 1808 by Sergeant Gabriel Moraga in honor of the Holy Sacrament. The Merced River was called *El Río de Nuestra Señora de la Merced* (the river of Our Lady of Mercy) by the Moraga exploring party of 1806, as an expression of joy and gratitude at the sight of its sparkling waters after an exhausting march of forty miles through a dry country. Later the name was given to the county through which this wild, boisterous stream flows.

Each county name has its own romance. Mendocino is a derivative word, produced from the name of Don Antonio de Mendoza, first viceroy of New Spain. It was first applied to the cape, probably by the crews of ships

coming from the Philippine Islands. Several of the counties took the names of their missions—San Diego, San Luís Obispo, Santa Clara; others, those of their principal streams, among which is King's County, not recognizable as of Spanish origin because it has unfortunately been translated from its original form of *Los Santos Reyes* (the Holy Kings) as first applied to the river. *Plumas* (feathers) was so called by the Luís Argüello expedition of 1820 on account of the great numbers of feathers of wild fowl seen floating on the surface of the stream, which appears under the translated form of the Feather River. Oddly enough, the county retains the original form of Plumas. *Calaveras* (skulls) was so named by Moraga, who found its banks lined with skulls, ghastly reminders of the bloody conflicts that took place among the Indians for possession of the "salmon water." The county through which this creek flows is now known by this rather lugubrious name. *Mariposa* Creek was so called on account of the great numbers of butterflies observed there by the Moraga expedition of 1806. *Fresno* (ash) took its name from the abundance of ash trees in the region, and *Madera* (timber) from the heavy forests which covered its fertile valleys and hill slopes.

A few of the towns and cities bear the names of noted Californians. Martínez takes its name from the Martínez family, whose founder, Ignacio, was an early *alcalde* and *comandante* of the port of San Francisco. Suñol was christened for the owner of one of the most beautiful valleys in the state. Vacaville commemorates the Vaca family, whose founder, Don Manuel, came from New Mexico in 1841. The Vacas were of old and distinguished blood, their ancestors dating back to Captain Vaca of the army of Cortés, though not to be confused with the famous Cabeza de Vaca. Alviso, a town in

Santa Clara County, bears the name of one of the Anza colonists, Ignacio, who came to San Francisco from Sonora in 1776. Benicia carries the name of the wife of General Vallejo, while the town of Vallejo honors the memory of Don Mariano himself.

The frequent and wide-spread use of Spanish names for the streets of towns is one of the most eloquent reminders of the days of long ago. In old Monterey, once the home of the *élite* of California society, the name of the main thoroughfare, Alvarado, recalls the story of Don Juan Bautista, the "silver-tongued" orator who could make people believe that black was white. Junípero Serra Boulevard in San Francisco enshrines the memory of the saintly man who first lighted the torch of civilization in California. A host of other streets in that city—Noriega, Pacheco, Ortega, Rivera, Taraval, Ulloa, Guerrero, Valencia, Palou—give the place a marked Castilian flavor. Oakland, once Los Encinos (the oaks), has two main avenues with Spanish names—Alcatraz (pelican) and San Pablo (Saint Paul)—besides other lesser streets. Santa Barbara has lately restored some of the old Spanish street names that had fallen into disuse; there is no town in the State which retains more strongly its old-time atmosphere. One of the main avenues of Los Angeles, Figueroa, honors the man who is generally regarded as the best governor of the Mexican period, to say nothing of dozens of other street names which breathe of old Spain—Alvarado, Pico, Angeles, San Pedro, Aliso—besides names of many schools.

Architecture

Equal to the place names in recalling California's romantic era is the distinctive type of architecture known as the "mission style." This type of building was intro-

From Pictorial History of California

PATIO OF A SPANISH CALIFORNIA HOME

duced into America with the coming of the Spaniards to Mexico, and it is still conspicuous in the historic ruins throughout all the Hispanic regions now occupied by the Anglo-Americans. In its ancestry it was a mixture of many lands, with Moorish influences predominant, but in California certain circumstances operated to produce a style distinctive of the country. The isolation of this outpost of all the colonies forced the priestly builders to become their own architects and mechanics, and, by preventing the over-decoration inherited from the Moors, resulted in the dignified simplicity which is the chief attraction of the missions of California. The influence of the mission style upon present day building in California is everywhere evident, both in public and private structures, so that it remains with us as a constant reminder of the first white dwellers in the land.

Agricultural Industries

The Spaniards were the first farmers of California, and it is to their experiments that are owing the beginnings of many of the greatest industries dependent upon the products of its soil. The missionaries brought with them all kinds of garden and field implements with seeds and grains, not forgetting flower seeds, besides two hundred head of cattle contributed by the missions of the peninsula. Besides the care of the cattle, the principal occupation of the Indian neophytes was agriculture, which included the clearing of the land, ploughing, planting grain, building irrigating ditches, and harvesting crops. The making of wine, brandy, and olive oil by the missionaries, the growing in the mission gardens of all sorts of semi-tropical fruits, such as oranges, lemons, figs, dates, and pomegranates, gave the hint to later comers, and were the precursors of the vast agricultural and horti-

cultural industries for which modern California is famous, and which may fairly be called a heritage from Spanish days.

Law and Jurisprudence

Let us now turn to the inheritance in the realm of law. When the United States conquered California it continued the civil organization based upon the ancient and immemorial laws of Spain and Mexico. The essential principles of the regulations regarding mines, water rights on streams, land grants, and the property rights of women, to mention but a few, have been retained from the Spanish régime in the southwest. Speaking on this subject before the San Francisco Bar Association on January 12, 1895, John J. Boyce said:

> The municipal law of California contains proof of Spanish influence. Tribunals of conciliation, community property, separate property of the wife, domestic relations, descents and distribution, trespass on land, proceedings in action, may be mentioned as examples. . . . To California is granted the distinguished privilege of uniting in her jurisprudence the common law of England and the civil law of Rome, each the product of a great civilization.

In the matter of land grants, nearly every farmer in the greater portion of California at the present day holds his land by a title going back to Mexico or Madrid, for most of the farms are divisions of the famous grants given by the Spanish and Mexican governors, many of which are still known by their original names—*El Toro* (the bull), *Los Laureles* (the Laurels), *La Sagrada Familia* (the Holy Family). Much litigation involving these lands has been based upon the original Spanish grants, which, as elsewhere pointed out, were extremely vague in their boundaries. The noted Peralta grant, covering the greater part of the present sites of Berkeley, Oakland, and Alameda, was in the courts for years. The City of San Francisco was engaged in law-suits for about

fifteen years over the "pueblo lands," based on the claim of the city by Spanish law to the four square leagues allowed to every pueblo. In the case of San Francisco the whole case hinged on whether it had ever been a pueblo in the legal sense, which was finally decided in its favor. J. R. Robertson remarks, in his *From Alcalde to Mayor,* that "the Spanish local institutions came to have a real significance to the people of the places where these contests occurred."

The Spanish riparian law has been within recent years the basis of the municipal claims to water rights in several California cities. Los Angeles won its right, by a decision of the Supreme Court of California in 1895 to the use of the water of the Los Angeles River on the basis of having been a Spanish pueblo, and San Diego was later engaged in a similar proceeding.

Reminiscent of the old Spanish days, too, are many social, religious, and economic customs which have become so completely a part of the life of modern California that the people scarcely stop to reflect that they came from a foreign race. The love of the fiesta seems to come naturally to modern Californians. The Mission Play, identified with San Gabriel; the Portolá Festival of San Francisco; the yearly Spanish play given at Los Gatos, in which many of the descendants of Spanish-Californians take part; the annual celebration of the Dons of Peralta, an Oakland organization; the yearly fiesta at Santa Barbara, in preparation for which the citizens wear Spanish dress for weeks in advance:—all these and many more show the real desire of present-day Californians to keep alive the memory of the days "before the Gringo came." Even in so minor a point as cookery the old ways still endure, as witness the *tamales,* the *enchiladas,* and other Spanish dishes of which the present inhabitants are inordinately fond. "From the Span-

iard," says Bolton, "the American cowboy inherited his trade, his house, his horse, his outfit, his vocabulary, and his methods." The miner, too, took many of his laws, methods, and terms from the Spanish. *Placer* itself is a Spanish-American word of uncertain origin.

The power of the Catholic church, relatively greater in California than anywhere else in the United States, is also an inheritance from the days of Spanish rule. From the humble grass hut over which Serra raised the cross at San Diego in 1769 to the present great organization of magnificent churches, convents, academies, colleges, monasteries, hospitals, and orphanages, centering in San Francisco, presided over by an archbishop and several bishops, the advance has been stupendous.

Race Inheritance through Intermarriage

No other influence from Spanish times, however, has left so strong an impression on the people of this day as the inheritance of the blood itself, of which there is a far greater admixture in the present population than is generally supposed. The great families of the Spanish pioneer period nearly all have representatives at the present time, but, as the descent has largely come down through the female line, the descendants now often appear under American names. It is remarkable how many of the daughters of the best families of old California towns married Americans and Englishmen of standing. Several of the daughters of Mariano Vallejo married foreigners, and through these unions the descendants still living in California can trace their family tree back to the soldiers and nobles of the heroic days of Spain. Four daughters of the numerous Carrillo family, all noted for their beauty, married foreigners, one of them being the heroine of the famous Fitch-Carrillo elopement. The Ortegas,

the de la Guerras, the Bandinis, also famed for their beauty, the Estudillos, the Estradas, and many others show a similar record. José de la Guerra of Santa Barbara, himself of a distinguished family of old Spain, left, when he died in 1858, over one hundred direct descendants. Jacob Leese, an Ohioan who married a sister of Mariano Vallejo, had a family of stalwart sons and handsome daughters, which is still represented by numerous members in both the male and female line.

Space does not permit of further discussion of this intermingling of the races, both before and after the American Conquest; but enough has been said to make it clear that if the genealogy of the old Spanish families could be traced down to the present time it would surprise many to find how much of the blood of the Dons, originally coming into California through a thousand channels of commerce and adventure, still flows in the veins of Californians, even in those of some of the wealthiest and most influential families. It is perhaps not too much to say that there is a large enough infusion of this blood to have had an appreciable effect upon the general character of the people. It has been remarked by foreign visitors in recent years that Californians have the "same serenity of mind, the same joyous attitude towards life, as the people of southern Europe."

Traditions and Heroes

As a natural consequence of having the same early history, present-day Californians have the same traditions and revere the same heroes as their predecessors. The mailed figure of Cortés, those of Cabrillo the discoverer, Portolá the first settler, Anza the trail maker, and all the rest of that hardy band arise before their mental view as they survey the more distant past; and when the ques-

tion recently arose of a choice for the Hall of Fame at Washington, all the people, Protestant and Catholic, agreed without dissent upon the name of Junípero Serra.

Personal Memoirs

One more priceless inheritance should be mentioned—that vast collection of documentary records covering the entire Spanish-Mexican period, now gathered in the Bancroft Library at the University of California, in the Huntington Library near Pasadena, in the State Library at Sacramento, and in the archives of the old mission church at Santa Barbara. No other state in the Union is so rich as California in governmental reports and personal memoirs, and to their writers is due an eternal debt.

Though as a distinct race these immigrants from old Castile have gone and their national culture has become absorbed in that of their Anglo-Saxon successors, yet they have left behind them an ineffaceable impress of their former presence—in their blood, their names, their customs, their laws, their language, the gaiety of their Mediterranean temperament, and, above all, in the background of romantic history which gives to California its peculiar charm.

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Part IV

ACQUISITION BY THE UNITED STATES

Chapter XXI

THE WESTWARD MARCH OF AMERICAN PIONEERS

THE subduing of a mighty continent was the titanic task of the nineteenth century in the Western world. The great westward movement, affording ever new contacts with primitive conditions and ever recurring opportunities of beginning life over again, was the means whereby the task was accomplished.

The westward course of empire in America was in reality part of the world movement initiated when Europe suddenly found herself bereft of old avenues of trade to the Orient and was forced to look out wistfully upon the Atlantic, asking the momentous question "whether the ocean could afford a route down the path of the setting sun to the Indies and Cathay."

Culmination of the Westward Movement

This mighty movement, dating from the fall of Constantinople in 1453, finds its culmination in the history of California and the Pacific Coast. Almost with the beginning of our national history there had begun an irresistible expansion of the Anglo-Saxon race to the westward. How effectively the march was maintained even a casual reference to the succeeding steps in the territorial expansion of the United States readily makes manifest.

At the beginning the frontier was the Atlantic seaboard,—the frontier of Europe, however, not of America. As it moved ever westward it became more and more intensely American. "This perennial rebirth,"—in the memorable phrase of Frederick J. Turner,

—"this fluidity of American life, this expansion westward with its new opportunities, its continuous touch with the simplicity of primitive society, furnish the forces dominating American character." Pioneers were our truest Americans.

Previous to 1830 the westward movement carried with it no implication of a nation with continent-wide boundaries. During the early phases of the controversy with Great Britain over the Oregon territory, even Senator Benton did not dare openly to profess the belief that Oregon could ever be admitted to the American Union. But while the national interest was yet active in the far northwest, there developed a great American advance to the southwest. The desire for Texas proved to be a phase of the westward movement, a call of "manifest destiny." In an address at Boston in 1844, Emerson spoke these words:

> The vast majority of the people of this country live by the land, and carry its quality in their manners and opinions. We, in the Atlantic states, by position, have been commercial, and have . . . imbibed easily a European culture. Luckily for us, now that steam has narrowed the Atlantic to a strait, the nervous rocky West is intruding a new and continental element into the national mind, and we shall yet have an American.

Polk's campaign revealed a "positive and general profession of faith" in a continent-wide destiny for the United States. But in the meantime California was being thrust into the leading rôle in the drama of the westward movement: its acquisition was one of the major objectives of President Polk's policy as he entered upon his nationally important administration.

Disciples of American Expansion

It had early been discerned that California lay in the path of manifest destiny. But even before the acquisi-

tion of Louisiana, Yankee captains had found their way to the Pacific ports; and antedating the very first overtures to acquire California by purchase, its borders had been entered by adventurous trappers and emigrants from the United States. Captain John Brown, who first touched at the port of San Francisco in 1793, Captain Ebenezer Dorr, who put into Monterey in 1796, Captain Jedediah Smith, who led his party of trappers overland into southern California in 1826, and Doctor John Marsh, who settled on a rancho near San Francisco Bay in 1836; these, and such men as these—Jim Bridger, widely known explorer of the Great Salt Lake region, Thomas Fitzpatrick, famous Rocky Mountain trapper and guide, William Sublette, leading trader and skilled wilderness breaker, and the rest of them—were representative of American expansion, who—quite unconsciously—by their accomplishments did much in linking California to the westward movement. While this country was becoming better known in the East as a land of promise, it became increasingly powerful as a magnet until multitudes found its attractions irresistible.

Highways of the Westward March

The agencies of transportation may be regarded as a criterion in tracing the development of the western country. Accordingly, Charles A. Beard has distinguished four general periods, as follows: (1) The era of the forest trail and old-road, extending from the beginnings of American history until after the close of the Revolution; (2) the epoch of the river route, beginning near the close of the eighteenth century, and extending to the time of the appearance of the steamboat on the Ohio; (3) the steamboat age, which, beginning about 1810, reached its height at mid-century and suffered relative

decline since 1870; (4) the railway era, which dated its modest beginnings from the decade 1830-40.

Trading posts, reached by the early trails, were founded on the sites of Indian villages: these posts, in turn, have become thriving cities, as Albany, Pittsburgh, Detroit, Chicago, St. Louis, and Kansas City. On "the slender paths of aboriginal intercourse" first appeared the saddle horse and the pack mule of the white interloper, then the clumsy cart and the sturdily built wagon began to broaden the uncertain trails into the semblance of definite roadways, and finally the western wilderness was bisected and interpenetrated by highways of a dynamic civilization. First the trapper and the trader, then the settler and the artisan, finally the merchant and the banker and the school master,—each in turn has trod the pathways of the plains, each has played a part in the great drama of the westward march of American pioneers.

The Westerner

The westerner was the first true American: he enjoyed close kinship with his native land and with the common man. By his very environment he was largely free from the power of European precedent and European tradition. Far remote from the Atlantic seaboard, with neither opportunity nor inclination for intercourse with foreigners, he came to look at things independently; he developed the habit of facing his own problems, depending for their solution on immediate self-help.

The absence of binding precedent induced an originality and progressive quality that were often obscured by a taciturnity in the presence of eastern culture which might easily have been mistaken for conservatism. The restless energy of the pioneers, which made of one a trapper or a tradesman, of another a miner, and of a third a farmer, and which found expression in a capacity

for quick decision under changing conditions and a deep-seated belief in the largest possible liberty of the individual, made of them a fertile soil for the implantation of progressive ideas, whether in industry or politics or education. At the same time the rigorous discipline of hard work and the vicissitudes of experience imparted a double portion of the saving grace of common sense.

Under the exacting, rough-and-ready conditions of Western democracy, the last way to think of judging a man would be to judge him by his antecedents. The true criterion for evaluating a man's worth lay in the answer to the questions, Can he hold up his end? Will he always play square? Along with the democracy which was fundamentally the outcome of the American people in dealing with the West, there was conspicuous among backwoodsmen a deep sense of substantial justice openly and directly arrived at, for the true westerner was ever ready to defend himself, but he strongly resented the law's delays, and restrictions of government were irksome to him. None was more ready to bestow a kindness or to show himself a friend to one in need, none more swift to rebuke the evil doer. Miner's justice and the popular tribunal were nowhere more perfectly exemplified than during the thrilling days in early California history.

The man on the western trail might not have known all needful facts, but at any rate he saw things large. Every real pioneer was an integer—he had to be to survive.

Incongruous as it may seem, a deep, unshakable religious faith characterized the typical westerner. His creed might be exceedingly simple, his words abrupt. Months might pass with no opportunity and little desire for public worship of any kind. But a rigorous adherence to a simplicity of faith in an overruling Providence sustained many a bold adventurer and steadied the step of many a path breaker, when all other resources failed.

While it may be true that few were able to give a cogent reason for the faith that was in them, and fewer still were disposed to parade their religion in the presence of strangers, it is certain that religion itself was to many the one brightest star of hope.

An abundant supply of free land lying on the border of settlement has been the greatest single factor in giving character to the westward movement and in shaping the traits of the western man. Here was an open gateway to the freedom of the frontier, a standing challenge to a manly combat that held out large stakes for the winners, an opportunity for the common man to prove his worth and gain his independence. The courageous spirits who accepted the challenge, heeding the voice that bade them go west, builded better than they knew,—they widened the horizon of the fundamentals of American democracy, they supplied a solvent for the vast immigrant tide sweeping in from Europe, they gave prophecy of the continent-wide destiny of the Republic.

California was no exception to the rule—rather, California became the West *par excellence*. "Here was a country," wrote Walter Colton in 1846, "where furlongs stretch into leagues." Then continuing,—

> Every American in California shows his entire stature; no one is lost in the crowd; no voice is drowned by the general clamor; every action tells. It is a blow which thunders by itself on the great anvil of time. It is another rock rolled into the foundations of a mighty empire.

The right of way has been given to the man of the West. California has become the "right hand of the continent."

Elements in California's Population

Probably as many as thirty of the hunters and trappers who had made their way into California previous to 1835

became more or less permanent residents. The popular feeling towards incoming foreigners was generally tolerant, often cordial; and in not a few instances immigrants married into prominent Californian families. The total foreign male population in 1835 was estimated at approximately 300.

Doctor John Marsh's estimate of California's population for 1845 was 7,000 persons of Spanish blood, 10,000 domesticated Indians, 700 Americans, perhaps 100 of English, Scotch, and Irish, and another 100 of Germans, French, and Italians. Obviously these and other figures regarding the population of California before the American conquest can be nothing more than rough approximations; but it is of the utmost significance to note that of the foreign population during the Mexican régime the American group always far outnumbered all other groups combined, besides being more energetic and aggressive, man for man. Thus the westward march of American pioneers to far-off California—as will be more fully revealed in subsequent chapters—was in reality a foregathering of the hosts to the shores of the Pacific that was to prepare the way for the nation's entrance into the rich heritage fully embraced under the terms of the Treaty of Guadalupe Hidalgo at the conclusion of the War with Mexico.

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Chapter XXII

PATHFINDERS AND HOMESEEKERS

Jedediah Strong Smith

THE first truly representative American citizen to enter California by land was Jedediah Strong Smith, a young beaver hunter and fur trader, whose dauntless spirit and religious conscience gave to his experience a unique place in our annals. Brave, indefatigable, and adventurous to a degree, he well deserves the title "Knight in buckskin."

In the late summer of 1823 Smith, then a mere youth, set his face toward the west. He was among the first white men to cross the great continental watershed by the South Pass of what later became the Oregon Trail. The chief objective of his enterprise, as of many another subsequently, was the discovery and exploration of new territory for the exploiting of the rich fur trade. Vastly more significant, however, than the business of taking furs was that of pushing American influence into the western wilderness, of empire building toward the Pacific.

Wintering among the Flathead Indians on the fringe of territory drained by the Columbia, Smith learned of the abounding country and favored climate of the Sacramento and San Joaquín valleys. Forthwith he resolved upon a trip into Alta California. The summer of 1826 found him ready, as a partner in the fur concern of Sublette, Jackson and Smith. At the head of fifteen followers he set resolutely forth from the rendezvous near Salt Lake, his avowed purpose being "to open the unknown country of the farthest Southwest."

Pushing steadily on through the Great American Desert, in the direction of San Diego, nothing daunted by incredible hardships, the party finally made its way across the Sierra Madre range of mountains through Cajon Pass, entered the vicinity of San Bernardino, and in late November made camp near San Gabriel, the seat of one of the most prosperous of the California missions.

Thus was California entered, overland, by a band of resourceful, westward-moving Anglo-Saxon adventurers from the United States. But this entrance by Jedediah Smith was no casual adventure,—it was the opening scene of as thrilling, romantic, and masterful a drama as ever graced the pages of western history.

The governor of Alta California, at that time an outlying territory of Mexico and only recently emancipated from Spanish dominion, naturally looked with deep suspicion upon such an intrusion of new blood and strange ideas. It had been bad enough to suffer Yankee skippers to anchor along the coast,—though, truth to tell, American vessels came to be warmly welcomed by the *padres* and by the *rancheros,* to whom they provided a market and supplied commodities in endless variety. But the possibility of breaking down the exclusiveness of California from the land side was viewed by Governor Echeandía with genuine apprehension. Early isolation from world affairs, the very integrity of her Arcadian age was threatened by the inoffensive arrival of Smith and his party, in a state of need bordering on desperation, at opulent San Gabriel.

In spite of the fact that the presence and activities of these *Americanos* was usually contrary to Mexican law, and that their leaders were strict Protestants, the Franciscan monks accorded them most generous treatment in the spirit of true hospitality. Entries in the journal of

Harrison G. Rogers, clerk of the company, afford interesting glimpses of mission life and activities. Father Sanchez is referred to as "a very fine man and a very much of a gentleman."

Proceeding to San Diego, Captain Smith was questioned by the governor. Why was he in California? Well schooled in the virtues of patience and fortitude, Smith demeaned himself with remarkable self-control: he explained the innocent character of his errand in California, stating that lack of provisions and horses compelled him to enter Mexican territory, and that he now purposed to hasten northward and trap along the Columbia, thence to make his way back to Salt Lake. Through the intercession of American shipmasters in the harbor he finally was enabled to get his passport signed by the governor.

Admonished that they stay not upon the order of their departure from California, the American party, after days of busy preparation, were permitted to proceed northward. They set out January 18, 1827; but instead of making quick time out of the country, they dawdled along, choosing a course where they were not likely to be intercepted, trapping and observing the country as they went. Their course lay through the heart of the San Joaquín Valley, that wonderful inland empire which then supported numerous bands of degraded Indians and the beginnings of an extensive cattle industry, later to become one of the great wheat granaries of the world, and which today knows no superior in the quantity and quality of its diversified agricultural and horticultural products.

Making camp near the upper stretches of the Stanislaus, or the Merced River, and fearful lest news of his delayed leave-taking should reach San Diego, Smith ad-

dressed a letter of explanation to Father Durán of Mission San José, assuring the padre that he had made several attempts to cross the mountains, "but the snows being so deep I could not succeed in getting over."

On May 20, leaving most of his men in camp, Captain Smith with two companions set forth with seven horses and two mules to make his way through the high Sierra, *en route* for Salt Lake. The snow in the summit he found from four to eight feet deep, "but it was so consolidated by the heat of the sun that my horses only sunk from half a foot to one foot deep." The trio reached their destination in less than a month, after such frightful and devastating experiences as could be survived only by stout hearts and hardened bodies. When Jedediah Smith reported to his partners on that June day in 1827, he had well and truly earned the new title, "Pathfinder of the Sierra."

After the respite of a brief month, Smith again set his face toward California, this time at the head of a party of nineteen. Unprecedented difficulties seemed to confront him at every turn. Nevertheless the remnant of the party, pursuing the course of the previous year, finally succeeded in reaching San Gabriel. The captain made haste to join the party encamped in the Stanislaus, finding them "in a very unpleasant situation; their supplies were almost exhausted and he without any to assist them." Their stay in California had been in violation of the Governor's order; and during their leader's absence they had fallen under the displeasure of the Mexican authorities.

Troubles multiplied. Making his way to Mission San José in search of desperately needed assistance, Smith was rudely seized and thrown into the filthy jail. Father Durán had accused the Americans of enticing his Indian neophytes to desert from the mission. Stript of his guns and under heavy guard, he was sent to Monterey to ap-

pear before Governor Echeandía. The presence there of William E. P. Hartnell, an Englishman, and of four masters of American vessels made it possible for Smith to secure much-needed supplies and to be permitted peacefully to leave the country, under heavy bond.

The route through what is now Humboldt and Trinity counties, onward into Del Norte, proved to be the extreme for roughness and difficulty. For some time the men had no success in securing wild game; six hours were required to get the horses down a certain point, "some of them falling about 50 feet perpendicular down a steep place into a creek, one broke his neck,"—and so on, the journal continues.

With his second departure from California we must take leave of Jedediah Smith. After two years' separation he was enabled to rejoin his partners, in April, 1831; and not long thereafter, he set forth on a still larger venture. Across the burning stretches of desert he pushed. The further he went the more certain seemed the feverish search for the waterholes, to end always in utter futility. Smith struggled doggedly onward till at length he found pools of precious water. Then it was—as, all too late he perceived,—that instinct momentarily triumphed over reason: he found himself surrounded by hostile Comanches, at whose hands he met his death.

The name of Jedediah Strong Smith is deserving of a prominent place in the annals of California—though his activities and influence far outreach such narrow borders. Says Professor Cleland: "He had traversed the first of the great transcontinental routes to California, made known the valleys of the San Joaquín and Sacramento to the American trappers, and through them to American settlers; opened a line of communication from northern California to the Oregon country, a route the Hudson's Bay Company were quick to take advantage

of; and traversed the Pacific Slope from the Mojave Desert to Puget Sound."

James Ohio Pattie

Of all the records of western adventure perhaps none is more stirring than the *Personal Narrative of James Ohio Pattie*. Making due allowance for Pattie's propensity to exaggeration and prejudice, we must still concede the important contributions to our knowledge of the great Southwest made by the wanderings of this typical product of the frontier and recognize their ultimate influence toward American ascendancy.

It was the irreparable loss of his wife that led Sylvester Pattie, a resident of southern Missouri, to undertake the project of a trapping expedition up the Missouri River and into the interior of New Mexico. His oldest son, James Ohio, prevailed upon the father to be permitted to accompany him. On June 20, 1824, the little party, five in all, crossed the Missouri some sixty miles above St. Louis; but soon joining a larger party *en route* for New Mexico, the senior Pattie found himself at the head of a company of 116 persons.

Indian fighting often proved to be a necessary occupation of American trappers. Some of the mountain tribes were extremely fierce and warlike; and the present party had its full share of solicitude and exciting episodes. Trapping along the Gila and its tributaries, many furs were taken and prospects were excellent; but the marauding red-men stole their pack animals and compelled them to cache the furs, most of which were never recovered. Still worse, it is related that the entire catch was finally confiscated by the Mexican governor at Santa Fé, who pocketed the proceeds himself, on the ground that the Americans had been trapping without a license from him.

Such was but the beginning of a long series of hard-

ships and the deprivation of every comfort, which, in the end, brought a frightful death to the elder Pattie and disappointment and dire poverty to the younger man. It is of interest to note here that the Patties actually entered the present boundaries of California and that James Ohio traversed very considerable portions of it.

It was late in September, 1827, when the Patties, with about thirty companions, set out from Santa Fé to trap on the Gila. By the first of December they had reached the junction with the Colorado. In the meantime misunderstanding and friction had brought division, after which the Pattie group numbered but eight persons. Under cover of a heavy storm and the blackness of night a band of Yuma Indians stampeded their horses, leaving them no choice but to build canoes from the cottonwoods for transport to the Mexican settlements. Floating down the Colorado, their store of beaver skins increased daily.

As they approached the gulf the strong surf of the river convinced them that their craft could not live in the "tumultuous commotion of the water." They therefore abandoned the canoes, buried their stock of furs, and set out on the gruelling journey across Lower California. The fierce sun and scorching sand, the total lack of moisture and extreme fatigue brought utter desperation. The elder Pattie gave out completely and seemed willing to resign himself to die.

With the assistance of Indian guides the little company came finally to the Dominican mission of Santa Catalina; but instead of being accorded a kindly reception and needed relief, they were rudely thrown into the guard house. After a week's rough treatment and scanty fare, they were conducted to Mission Saint Sebastian, then ordered to make ready to proceed under guard to San Diego, the seat of the governor's residence. They were amazed at the harsh treatment accorded them by Eche-

andía and dismayed when remanded to separate cells in the vile prison. It must be recalled, however, that the governor, already uneasy and deeply suspicious on account of Smith's recent expeditions, had reason for alarm; and besides, it might well be that his own security depended on his upholding a most rigorous policy toward the troublesome strangers.

The impaired health of Sylvester Pattie was not equal to the poor fare and execrable physical treatment shown, and he was seized with an illness that proved fatal. After the tragic end of his father, the younger Pattie found occasional opportunity to act as interpreter for the governor, who gradually relaxed from his attitude of extreme rigor.

When the dread small-pox began to rage in the upper part of the province and casualties alarmingly multiplied, General Echeandía was besought "to devise some means to put a stop to the disease," for the whole country seemed threatened with destruction. Learning that the older Pattie had brought out among his effects a limited quantity of vaccine, the governor promised the son a passport for a year if he would vaccinate the people on the coast, at the same time agreeing to compensate him for the service and grant him his liberty. After a succession of weird experiences, the unique campaign of wholesale vaccination was opened by James Ohio Pattie, dubbed by a trapper "sometime surgeon extraordinary to his Excellency, the Governor of California."

Pattie was thunderstruck when confronted with the demand that he become a Catholic before receiving compensation. He declared, "My anger choked me." Throwing every prudential consideration to the winds, he announced that he would not change his religious opinions for all the money the mission was worth. In the end he left California early in 1830 on board the

same vessel that carried insurgent prisoners of the Solís revolt back to Mexico. Making his way overland to Mexico City and then to Vera Cruz, the disappointed man was compelled to accept passage money on the vessel that bore him back to his native land.

Ewing Young

Among fur traders in the far Southwest perhaps none was of more real importance than Ewing Young, who for more than a decade was a central figure. He trapped the Rio del Norte, the Pecos, the San Juan, the Gila, the Colorado and the Grand River in the southern Rocky Mountain region and the San Joaquín and the Sacramento in California. His qualities of organization and leadership seemed always to place him at the head of the party with which he was connected.

Associated with Captain William Becknell as early as 1821, he trapped the waters of the Pecos in the fall of 1822; and while the records of several years are confused and incomplete, Young was unquestionably one of the most active and influential of all the American trappers and fur traders until 1834. In 1831 he headed a party of thirty-six men from Taos into California, by way of the Zuñi village, Salt River, down the Gila and the Colorado to tide-water, where the party divided, thirteen of the men deciding to make the trip across the desert to the settlements of southern California. They arrived at Los Angeles, March 14, 1832.

No attempt will be made to trace in detail Young's course in California. He engaged in an otter hunting expedition along the coast, but, tiring of that, he returned to Los Angeles where he recruited a party for a beaver hunt to the north. After trapping King's River and stretches of the San Joaquín, he proceeded to the Sacramento, coming upon a large company of Hudson's

Bay trappers a few miles south of the American River. After various experiences Young made his way early in 1833 to the northwest, passing along the southern and western shores of Clear Lake and reaching the coast about seventy-five miles north of Fort Ross. Then he followed the coast line, always in search of beaver, finally succeeding in crossing the rough mountains and reaching the Umpquah River in Oregon. After following this to its southeastern source, he traveled Smith's trail to the northern limit of Klamath Lake. Thence he proceeded in a southerly direction, crossed the Klamath and Rogue rivers, then the Pit River, to the headwaters of the Sacramento. He made his way down the Sacramento Valley to the American River, then the San Joaquín, and onward to King's River, finally entering the San Bernardino Valley in December, 1833. He returned to Los Angeles the following summer.

Enough has been said to convey some idea of the scope and magnitude of the enterprises and travels, under conditions of frightful difficulties, of trappers and traders like Ewing Young. A complete record of his activities from 1822 to 1834, says Joseph J. Hill, "would give us a very full account of the fur trade in the Far Southwest during its most flourishing period." Unfortunately he left little in writing, and the complete record of his interesting life can never be written; nevertheless even the scraps that have been pieced together point to Ewing Young as one of the most interesting and instructive characters among that group of aggressive Americans who proved to be forerunners of the pioneers to California.

Other Early Trappers

It is well understood that most of the early fur trade in the Southwest was carried on clandestinely, since only Mexicans were legally given licenses to trap in

Mexican territory. Since Mexicans displayed no interest in trapping, however, the industry fell almost wholly into the hands of Americans. While it is impossible to state precisely how many Americans were engaged in trapping, it is known that the numbers ran into hundreds during the years beginning in 1824, only a small minority of whose names have been recorded.

To refer to a few of these, in addition to Smith, Pattie, and Young, it may be well to point out that William Wolfskill and a man named Slover joined Young and others in 1824 to trap on the tributaries of the Colorado, collecting furs that brought about $10,000. "Peg-leg" Smith's name is frequently mentioned as one of the members of Young's party that trapped on the Gila in 1826, and for numerous exploits. Another member of this caravan was George C. Yount, well known California pioneer for whom the town of Yountville, in Napa County, was named. Milton Sublette, a brother of Captain William Sublette, was granted a license to trap in pursuance of a plan to extend licenses to foreigners, "in the name of citizens, upon condition of their taking a certain proportion of Mexicans to learn the art of trapping." Christopher (Kit) Carson was a member of Young's memorable expedition to California in 1829-30, and he has left us many details. Among other early trappers were J. J. Warner, a prominent pioneer, whose famous ranch was the scene of many significant events; David E. Jackson, of Rocky Mountain fame; Job F. Dye, who later prepared his "Recollections of a Pioneer of California"; Thomas Fitzpatrick, one of the best known and most dependable of all the guides of his day; William Becknell, Nathaniel Pryor, Joseph Walker, Ceran St. Vrain, and Antoine Robidoux.

John Augustus Sutter: Sutter's Fort

In the transition of the Mexican province of Alta California into an American commonwealth a prominent but unique rôle was taken by John Augustus Sutter, who was neither Spaniard nor American. He was born in the Grand Duchy of Baden in 1803. In 1834 he left Switzerland for America, the "Great Republic." After a brief residence in Indiana, then in St. Louis, his restless, adventurous spirit urged him on to the Pacific Coast. While in the Oregon territory he conceived the idea of establishing his long-dreamed-of colony in California.

Near the close of 1838 he sailed for Honolulu, where he was graciously received by the King of Hawaii. Successful in securing the services of a number of native Hawaiians, with them he finally reached Monterey *via* Sitka on July 3, 1839.

Desiring to be free from possible interference with his plans, his Indian policy, and his trapping operations, he succeeded in obtaining permission from Governor Alvarado to found a colony and erect a suitable fort in the then remote Sacramento Valley. Under simple conditions he was promised Mexican citizenship at the end of a year, and likewise an ample grant of such unoccupied land as he desired. The land selected was a tract lying along the Sacramento River to the eastward, the site for the fort being more than two miles east of the river and half as far, to the south, from its tributary, the American River. There was built and established New Helvetia, or Sutter's Fort, which was destined as the Mecca of Americans coming to California for many years to play such a significant part in the actual transition.

The construction of the fort—decidedly military in appearance—was begun in 1840 but not completed until

several years later. The toil was largely done by Indians. Having purchased from the Russians at Fort Ross a small vessel and the bulk of their property, notably a number of cannon, with a great quantity of old French flintlock muskets and other munitions of war, Sutter constituted himself the guardian of the Sacramento frontier. The fort itself consisted of an adobe wall eighteen feet high by three feet thick, enclosing a rectangular space approximately 500 by 150 feet.

Having obtained naturalization as a Mexican citizen, and apparently having been clothed with civil authority to administer justice, he took steps to prevent robberies by "adventurers from the United States," to repress hostilities on the part of the Indians, and to check illegal trapping and fishing. The new leader gradually won the respect of the Indians, many of whom were employed by him.

Firmly established on his vaguely bounded grant of eleven square leagues of land, combining in himself the varied occupations of trapper, trader, farmer, stock raiser, merchant, magnate, military ruler, and feudal seigneur, he assumed an attitude of haughty independence, threatening on one occasion to raise the French flag and march on Sonoma, or broadly intimating that he would brook no interference with his plans and purposes at the hand of the Mexican officials themselves.

Sutter's friendliness for Americans soon became marked, and not strangely it aroused the jealousy of Californian leaders. In his *Autobiography* he said: "I gave passports to those entering the country, and this they did not like. I was friendly with the emigrants, of whom they were jealous. I encouraged immigration, while they discouraged it. I sympathized with the Americans while they hated them." Within an incredibly short time he had in effect established a feudal barony at New Hel-

vetia. He found himself in possession of thousands of sheep, cattle, horses, and hogs, roaming at will over his great principality. He developed a profitable trade in beaver skins and other commodities. He was lord of all he surveyed.

Sutter's Fort, located directly on the main line of overland immigration, came to be recognized as a convenient trade center as well as the chief rendezvous for the ever increasing numbers of newcomers winding down from the heart of the Sierra Nevada, happy to approach the end of their long and hazardous journey. The name of Captain Sutter came to be a household word to thousands of early overland immigrants: in their minds it stood for generosity and goodness of heart.

Reference must be made in later connection to Sutter's Fort in relation to the American conquest and the great gold discovery. We shall meet the genial Captain again as a prominent member of the Constitutional Convention of 1849. He will always be regarded as one of the striking personalities of early California history.

By a strange fate the gold discovery, which so marvelously enriched the world, proved to be the impoverishment and ultimate undoing of John A. Sutter. As if the weight of misfortune were not already sufficiently crushing, his land title was brought into question, squatter riots multiplied on his possessions, and depredations were being continually committed. In the end the haughty frontier potentate was reduced from an envied position of affluence and power to bankruptcy and financial ruin. An object of pity, he was granted a pension by the State Legislature. After a period of residence on Hock Farm, on the west bank of the Feather River, in the county that bears his name, he said farewell to California to make his home among the peaceful Moravians of Penn-

sylvania, where he and his wife spent their remaining days.

In John Augustus Sutter, generous and hospitable without stint, the early American immigrants had always found a warm friend and in his fort a home;—he never tired of boasting of the great Republic nor of saying in the pre-conquest days that he would be glad to see the United States in possession of California if that was at all possible. General John Bidwell, who had been most intimately associated with him, wrote: "No pioneer ever did so much for this State as Sutter. Nay, I verily believe, no pioneer ever did so much for the United States."

"First Emigrant Train to California": John Bidwell

Doctor John Marsh, a young Harvard graduate, reached California in 1836 with a company of Santa Fé trappers. He settled on a rancho near the base of Mt. Diablo. The publication of some of his letters in local Missouri newspapers stimulated lively interest in far-off California. But when, a little later, a French trapper named Robidoux, having actually returned from California, started a campaign of publicity in behalf of the new wonderland, a fever heat of excitement was reached in the little town of Weston. The trapper claimed he had found "a perfect paradise, a perpetual spring." During the autumn of 1840 it looked as if all the inhabitants of Weston and vicinity were planning to migrate to California the following spring. Hundreds banded themselves together into the "Western Emigration Society."

But business men threw cold water upon the plan, unfavorable news was circulated, and before spring zeal for the great migration had decidedly cooled. The Western Emigration Society went to pieces. One spirited member, however, a young man named John Bidwell, got ready, though he "had barely means to buy a wagon,

a gun, and provisions." In his twentieth year, Bidwell, a native of Chautauqua County, New York, and former resident of Ashtabula County, Ohio, had become imbued with the idea of seeing the great Western Reserve:—it was this longing that eventually brought him to California.

By a selective process several small companies were formed in Missouri and Arkansas, under such leaders as Josiah Belden, William Baldridge, and Joseph M. Chiles. In the early spring of 1841 these recruits came together at Independence, which became the starting point, during the ensuing decade, for an epoch-making chain of caravans of home seekers, gold hunters, and adventurers. One of the most effective organizers and determined spirits among them was young Bidwell.

On the first of May a company was organized consisting of forty-seven emigrants, three trappers, a group of Catholic missionaries and teamsters (eleven in all), two men bent on pleasure, and a Methodist minister. Fifteen women and children were included. Paul Geddes was elected president, John Bartleson captain, and John Bidwell secretary. Thomas Fitzpatrick, well known Rocky Mountain guide, was the only person familiar with the country to be traversed. The group of missionaries, headed by Father De Smet, were on their way to establish a mission among the Flatheads.

The company broke camp May 19, 1841, the caravan starting single file for California. First were the brave missionaries, with four carts and one wagon, next came eight wagons drawn by horses and mules, then the last unit consisting of five wagons drawn by seventeen yoke of oxen. This caravan came to be known as "The first emigrant train to California." Here were men, with women and children, organized into a company to make actual settlement in that far-off sunset land and "grow

up with the country." Little could the members then guess its significance as a factor in the peaceful penetration into California by the United States and as an active if unintended accomplice of manifest destiny.

John Bidwell, clerk of the company, kept a daily journal, which, together with his *Early California Reminiscences,* supplies a wealth of historical material and personal observation. There is no better way to gain accurate impressions of the progress of the expedition and to visualize some of the scenes that greeted the eyes of the pathbreakers of 1841 than to peruse the daily entries, which obviously cannot be reproduced here. On June 1 "a new family was created," by the marriage of Isaac Kelsey to Miss Williams; a week later eight or ten buffaloes were killed, while the immense quantity of buffalo bones gave the valley the appearance of "one complete slaughter yard." On the 22d Fort Laramie was reached. Later exceedingly high bluffs were encountered, "and no person could ever believe that wagons ever passed these huge eminences of nature, did he not witness it with his own eyes." The company came to a halt July 11, when the Oregon party, joined by a number who had purposed going directly to California, bade farewell and set out for Fort Hall, leaving thirty-two men and one woman and one child.

It was September before the California company reached the northern extremity of Great Salt Lake. There were constant interruptions and frequent delays. The delusive mirage brought many a bitter disappointment by its phantom hopes of water and foliage. At length they came within sight of the Sierra Nevada Mountains. It was decided that the wagons must be abandoned if the party were not to be overtaken by the snows. On September 16, "All hands were busy making pack-saddles and getting ready to pack." The indescrib-

able difficulties of the new undertaking are better understood by remembering that nobody in the party had experience in the methods of packing animals, and by trying to form a mental picture of a caravan of loose packs, frightened horses, kicking mules, and bellowing oxen!

Coming at length to the Humboldt River, its course was followed many days until the Sink was reached, fully one-half of the party on foot and provisions almost gone. No pen can adequately picture the passage through the Sierra Nevada. On the 22d of October the last ox was killed; six days later, "We ate the last of our beef this evening and killed a mule to finish our supper. Distance six miles"; two days later, to their great delight, they "beheld a wide valley"; on the last day of the month, two antelope and some wild fowl were killed. They had at last come to the edge of the San Joaquín Valley. The stream they beheld proved to be the Stanislaus River. Marsh's ranch was reached November 4; and so it was that almost six months after setting out from Sapling Grove, the first overland emigrant train to California reached its destination. These men were pioneers of pioneers; they blazed trails for the pathfinders who followed; they spoke the prologue to one of the greatest dramas of American history; and chief among them was John Bidwell, a prince among California pioneers. He quickly found employment under Captain Sutter at New Helvetia, and with each succeeding year he became personally more closely identified with virtually all the important movements in the development of California. He embodied those distinctive qualities of citizenship that made him a true Californian.

Typical Parties of Home-Seekers

During the early 'forties there left the western frontiers for the Pacific Coast an aggregate of several thousand persons, many of whom entered California. In addition to men of sturdy fiber, who constituted a very large majority, the immigrants included numbers of brave women and not a few families of children. Hundreds became actual settlers; as such, their very presence, as well as their special activities, had a significant influence upon the course of events culminating at length in the American conquest.

The Workman-Rowland Company, which in certain respects may be regarded as a branch of the Bartleson Company, comprised twenty-five persons who had planned to meet at Independence, the chief rendezvous. Arriving too late, however, they decided to take the Santa Fé Trail rather than incur the heavier risks of the northern route. About one-half of this party were in quest of homes; some were looking for adventure or were attracted by scientific interest. Encountering comparatively little hardship and practically no novel adventure, they came through Cajon Pass and arrived at San Gabriel, only a little later than Bidwell reached Marsh's Ranch. Promptly on arrival John Rowland sought out the Mexican authorities, presenting them with a list of the Americans' names and declaring his intention of obedience to all legal requirements.

Of the ninety foreign visitors to California in 1842 only thirty-three were given places in Bancroft's pioneer list, and it can hardly be claimed that any of these attained any great degree of prominence. The most significant event of the year was the premature capture of Monterey by Commodore Jones, which is discussed elsewhere.

Notwithstanding a warning issued by the Mexican Minister at Washington against emigration to California, American immigrants continued to receive a welcome at the hands of local officials. The very ease with which large grants of land were bestowed upon all who desired them and who declared their willingness to comply with the law was evidence of the encouragement to immigrate. However, it must not be inferred that during those disturbed years there was, or indeed could be, any well-defined policy consistently asserted and maintained. Thus, at the very time when Governor Micheltorena was liberally bestowing land grants there were rumblings of an intention to expel all Americans, and finally the Centralist governor was himself expelled as a consequence of the rather farcical "Micheltorena War"!

The most important expedition coming across the mountains into California during 1843 was that of the Chiles-Walker party. After considerable delay and many obstacles along the way, the main company reached Walker River and Walker Lake, thence proceeding still further south to Owens Lake. Here, on account of the weakened condition of the animals, the travelers were compelled to abandon the wagons, which were the first ever brought into California by overland home-seekers. But the most difficult part of the journey was yet to be completed. It was about Christmas when they encamped "in a delightful vale, still known by Walker's name on the maps, on the headwaters of a tributary of the Salinas River." In the following month the party proceeded to John Gilroy's ranch in the lower Santa Clara Valley, the members there separating for different parts of the province.

Another party of 1843 was that of Lansford W. Hastings, which entered California from Oregon. In July camp was made in the vicinity of Sutter's Fort, and

a little later members scattered to different points, thus augmenting the numbers of early home-seekers in the territory.

Special importance attaches to the Stevens party of 1844, sometimes known as the Stevens-Murphy party. Leaving the Missouri River in May, they proceeded along the old emigrant trail to Fort Hall. About half of them decided to go to Oregon; the remainder—including about twenty women and children—proceeded toward California. It was about the first of November before the Humboldt Sink was reached; and before preparations for crossing the Sierra Nevada were completed, the early snow had made its appearance. Taking a westerly course, instead of pursuing the southerly route *via* Walker River, they broke a new path into California. So great were the difficulties encountered, however, that three of the men were left at Donner Lake; it was about the middle of the following March when the last members of the company finally reached the ranch settlements in safety.

The year 1844 is memorable by virtue of the coming of John C. Frémont, a dashing young man of scientific attainments, whose second expedition brought him into California. To be sure, it was not the direct purpose of the Frémont expedition to induce home-seekers to emigrate to the Pacific province; nevertheless its influence was profoundly significant in precisely that direction. Fort Hall had been reached September 19, 1843, whence the party proceeded down the Snake River to Fort Boisé (October 8), the Dalles (November 4), down the Columbia to Fort Vancouver, where provisions for three months were laid in, and return to the Dalles. His intention was to explore Klamath Lake and to search for "a reported lake called Mary's, at some days' journey in the great basin; and thence still on southeast to

the reputed Buenaventura River." Having at first no thought of crossing the Sierra Nevada into the valleys of California, he brought joy to his followers by the decision to visit the Sacramento Valley.

The party was finally able, after surviving appalling difficulties, to make its way, in mid-winter, across the Sierra near Lake Tahoe; in early March Sutter's Fort was reached. A fortnight later Frémont proceeded southward along the San Joaquín to King's River, traversing Tehachapi Pass, reaching the Santa Fé Trail, April 18, and five weeks later the Utah Lake. On the circuit he had traveled 3,500 miles since September. His official report brought Frémont an enviable reputation; and, while his entrance into California may be regarded as almost accidental, its importance in relation to the trend of events cannot be questioned.

Of the immigrant parties of 1845, mere mention may be made of five. The MacMahon-Clymer Company, numbering forty-three persons, entered California from Oregon; the Swasey-Todd Company, a group of a dozen young men breaking away from a larger party *en route* for Oregon, reached Sutter's Fort in late September; of the Sublette Party, which arrived in early October, Captain Sutter wrote Thomas O. Larkin, "Not one company has arrived before in this country which looked so respectable as this"; the Grigsby-Ide Party comprised about fifty men, many of them with their families; the Hastings-Semple Party was the last to enter California that year, reaching Sutter's Fort at Christmas. Robert Semple, a native of Kentucky, more than six and a half feet in height, became one of California's most eminent citizens, rendering conspicuous service as president of the Constitutional Convention of 1849.

During that year, immediately preceding the year of the American conquest, at least 250 persons crossed the

great western plains and the mountains and entered California. The story of every one of these early expeditions has been pronounced "an epic of romance and adventure." All these overland immigrants, augmented by lesser numbers of settlers coming by sea, greatly increased the ratio of the foreign population of the province. Bearing in mind the slight tenure of Mexico in California, it is not surprising that all manner of rumors were afloat about the immense numbers of Americans reported to be making preparations for the great trek and the prospects that the United States would soon supplant Mexico in the coveted territory.

The Great Immigration of 1846

During the year 1845 and the early part of 1846 California received an unusual amount of publicity. By word of mouth, through local newspapers and widely circulated magazines, and by the appearance of books depicting the charm and advantages of living in that highly favored land, an effective if not well coordinated publicity campaign was just about to bear rich fruitage in the way of western travel when the Mexican War broke out, changing the current of American history and counteracting much of the preparation to migrate to the Pacific Coast. Nevertheless the greatest of overland immigrations into California and Oregon, to that date, occurred during that memorable year 1846, just on the eve of the American conquest.

From May to July probably at least 2,000 persons wended their way from Independence to Fort Laramie and Fort Bridger. It is believed that five hundred men, women, and children crossed the Sierra Nevada into California by the Truckee route alone. Small parties, each under its own captain, met on the plains, in many cases joining forces and traveling together for weeks in

a long train, or caravan. The rumor was abroad that the Mormons were to plant a great colony west of the Sierra Nevada. Early in the season Captain Sutter was openly predicting the arrival of more than a thousand Americans, making no secret of his friendship for the foreigners and broadly hinting that if "this Rascle of Castro" should undertake to interfere with his plans, "a very warm and hearty welcome is prepared for him." In a letter to Jacob P. Leese he had made reference to the ten guns and two field pieces ready to protect his fortress, and added significantly: "I have also about 50 faithful Indians which shot their musquet very quick."

It is manifestly impossible to trace the movements of the numerous parties of immigrants of 1846, or even to record the names of all the prominent pioneers. Vivid pictures of the experiences of home-seekers of that year are found in such books as Bryant's *What I Saw in California* and Thornton's *Oregon and California in 1848*. Most remarkable of all is the story of the Donner Party —but this is reserved for later telling, as is also the coming of Captain John C. Frémont, on his famous third expedition into the West and California.

A number of Americans also reached California by water during 1846. Among these a conspicuous leader was Samuel Brannan, who entered the Golden Gate with a company of young Mormons, on the last day of July. It is recorded that on that trip two children were born on board the *Brooklyn,* which Brannan had chartered,— one, a boy, being named Atlantic; the other, a girl, being christened Pacific! Brannan expressed disappointment at finding the Stars and Stripes already floating at Yerba Buena, since he had hoped to raise the flag himself.

Out of a total of 7,000 persons who came to the Pacific Coast during the years 1843-46 the number of immigrants actually entering California probably did not ex-

ceed 1,500, thus indicating the superior attractions of the Oregon territory as a goal of early home-seekers. The representative of the Hudson's Bay Company at Fort Hall sought to divert many Americans from their course to the northwest by holding out inducements to persuade them of California's superiority,—an argument undoubtedly inspired by the wish to maintain the monopolistic control in the northwest for commercial purposes. The fundamental difference between the Americans and the British—the home builder *versus* the trapper—had much to do, in the final reckoning, with the favorable outcome to the United States of the Oregon controversy as well as in the acquisition of California. Surely, though unconsciously, the immigrant home-seekers in the far West were paving the way for the American régime. How marvelously were the several factors of the final conquest marshalled and synchronized, culminating in the memorable summer of 1846! American settlers, some of them with their families, had come with their ineradicable love for Anglo-Saxon institutions; the slight tenure of Mexico in California immeasurably strengthened the arm of American administration as it set itself to the definite policy of acquisition at a time when war with Mexico was imminent; and at such a time and into such a prepared situation came the spirited and venturesome young Frémont. The stage was set for an act of prime historical significance. The Bear Flag at Sonoma may be regarded as a fitting prologue; the Stars and Stripes at Monterey brought the grand culmination.

The Donner Party

In the early spring of 1846 James F. Reed of Springfield, Illinois, together with his friends, George and Jacob Donner, urged the formation of a company of emigrants to go direct from Sangamon County to California for

the purpose of making new homes. As a result, the first emigrant train from Illinois, comprising a total of thirty-two men, women, and children, prepared to join the Oregon caravan, proceed with it to Fort Hall, then branch off *via* Frémont's route into central California. The company's outfit included seed and implements to be used in farming, bolts of cotton cloth, bright-colored handkerchiefs and flannels, beads, earrings, and other notions for use among the Indians, with generous stores of laces, silks, and other fabrics for use in trading. Most important of all were the large, strongly-constructed wagons, covered with tent-like cloth stretched over the curved frames, and the necessary live stock. A snug sum of money was tucked away in concealed apartments, and $10,000 in cash "was stitched between the folds of a quilt for safe transportation."

The party was astir before dawn, April 15; by early forenoon, after a leave-taking that changed from merry-making to graver aspect, they were well started on their fateful trip. The Mississippi was reached within a few days; and on the 11th of May, with everything in prime condition, and in the best of spirits, they made camp at Independence. During early June all continued to go well. Writing from a point near the junction of the North and South Platte, Mrs. George Donner said:

> We are now four hundred and fifty miles from Independence. . . . I could never have believed we could have traveled so far with so little difficulty. The prairie between the Blue and the Platte rivers is beautiful beyond description. Never have I seen so varied a country, so suitable for cultivation.

The Fourth of July was celebrated in true patriotic style with national songs, reading the Declaration of Independence, and an appropriate address.

At Fort Bridger the leaders made their first great mistake. They were induced by a letter addressed by

Lansford W. Hastings to California emigrants to consider a new route to California, which was claimed to be two hundred miles shorter than the Fort Hall route. After much deliberation a party was formed to proceed by way of "Hastings Cut-off." Of this band, which was henceforth known as the Donner Party, George Donner was elected captain. It included the "original Sangamon County folks" (with two exceptions) and close to forty additional members.

It was July 20 when the Donner Party broke camp and took the left-hand trail for Fort Bridger. Plunging into a wilderness of incredible difficulties, they toiled and fought their way forward, at times compelled to use ten yoke of oxen to draw a single wagon up the sides of a steep gulch. Despite their admirable fortitude, they were a month—instead of a week, as they had hoped—in reaching the south side of Salt Lake. The loss of precious time proved fatal.

On taking inventory it was found that the supplies were insufficient to carry them through to California. Charles Stanton and William McCutcheon volunteered to proceed on horseback in an attempt to procure fresh supplies at Sutter's Fort. The ensuing experiences during those September days baffle description. Thirty-six head of the cattle were left on the desert, "some dead, some lost." The cruel mirage, apparently revealing the shining waters of a lake, turned disappointment into anguish and despair. The return to Fort Bridger was pronounced impossible—there was no alternative but to proceed. The situation was rendered still more melancholy by a deplorable episode, resulting in the tragic death of one member at the hand of James Reed, who was banished from the train. With his gun and provisions, therefore, he set out alone for California: each day thereafter his wife and children looked for traces

along the way—feathers of a bird he had killed, or a note pinned to the brush.

Returning from Sutter's Fort with two Indian herders and seven mules laden with provisions, Stanton joined the party near the present site of Wadsworth, Nevada, October 19. McCutcheon had been left sick at Sutter's Fort. Stanton consented to lead the way across the Sierra Nevada. The Truckee River was crossed October 22, "for the forty-ninth and last time in eighty miles." There was high hope of passing the summit and reaching California in less than a fortnight.

Alas, a second great mistake was made. Instead of pressing on with all haste along the wagon road, the party tarried for four days for much-needed rest. But the storm king delayed not his coming. Sullen clouds on the mountain crest were harbingers of the snow. Filled with alarm, the emigrants pressed forward:—in vain did each family strive to reach the summit. When it became obvious that the wagons could not be dragged through the snow, provisions were quickly packed on oxen, and another brave attempt made. It was futile. Grim winter, descending upon his mountain habitat almost a month earlier than was his wont, seized the unfortunate emigrants and held them fast. Then came the awful realization—they must prepare to spend the months till early spring in the heart of the snowy mountains.

In the entire drama of California's history there is no scene that depicts more of anguish and dire distress, of loving care and deep pathos and the awful tragedy of human life than the imperishable chapter of the Donner Party for four months at "Forlorn Hope" and "Starved Camp" in the high Sierra. It is well that a veil be drawn over the harrowing details of the horrors endured in the "little dark cabins under the snow." It was a continuous battle against the gaunt, grim enemies

threatening all with freezing as well as starvation. In mid-December a party known as "The Fifteen" started in desperation to break through the barriers and obtain help. After a month of indescribable horror, the seven survivors finally descended into the Great Valley and made their way to a friendly ranch.

In the meantime the desperate plight of the emigrants at "Forlorn Hope" had been made known at Sutter's Fort. The alacrity with which men of every rank responded to the appeal for relief stands out as a tribute to the early pioneer. It was in generous degree to the energetic activities of Lieut. Edward M. Kern, who had been appointed by Frémont in charge of Fort Sacramento (Sutter's Fort), that the relief measures owed their effective organization.

On the 19th of February, 1847, the starving emigrants were startled by shouts. The strongest, climbing to the top of the snow that was deep about the cabins, witnessed the "most welcome sight of their lives"—there approached a relief party of seven men, sent out by Captain Sutter, each man bearing a pack of provisions. But bitter was the disappointment when, on reaching the summit where a portion of the provisions had been tied in a tree, it was found that wild animals had devoured all the food!

Starvation and death seemed facing rescued and rescuers alike, when James Reed, who had been banished, arrived with a second relief party:—he had returned "to save some of the very men who had cast him out"; and he was overjoyed to find his wife and four children still alive. So severe were the storms, so frightful the tortures of cold and deprivation, that progress seemed infinitely slow—again and again starvation and death by freezing were imminent.

Finally the third relief party arrived. George Don-

ner, brave leader of the train, was now too weak and sick to travel. His devoted wife, though quite able to make the journey, refused to leave her husband:—with unutterable anguish she received the good-bye kisses of her little daughters, and later it was recorded, "The name of Mrs. George Donner must ever stand high on the heroic roll of those who willingly choose duty rather than life." When the fourth and last relief party arrived in the spring it was found that she too had passed into the great beyond.

In epitomizing the results of the disasters that befell the Donner Party Mrs. Elizabeth Houghton places the total number of deaths at thirty-six and the total number reaching the settlement at forty-five, including five men, eight women and thirty-two children. Of the seven babes two lived and five perished at the Lake Camp. At Sutter's Fort the kind-hearted Captain did everything within his power to alleviate the sufferings of the survivors, some of whom became honored citizens and founders of the commonwealth of California.

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Chapter XXIII

EARLY PHASES OF THE AMERICAN CONQUEST

A Prize and a Policy

IT must by now be obvious that American interests in California had already been considerably advanced before the government at Washington actively espoused a policy of acquisition. The skipper, the hunter, the settler,—these, to be sure, were private individuals, engaged in their private affairs: but where they went and what they did were nevertheless matters of vast public concern.

As the conquest of California in its final stages was an episode of the Mexican War, so the early negotiations for its purchase were inextricably bound up with the acquisition of Texas. Anthony Butler, who in 1829 had been sent by President Jackson to Mexico in the interest of acquiring Texas, is denounced as disqualified to hold any position of trust. His suggestion of a bribe which would lead to the acquisition of Texas and to American dominion over New Mexico and California was discountenanced; but the idea of winning Alta California for the United States had found entrance into Jackson's mind, and henceforth our Federal Government never lost sight of the big, alluring prize.

The commercial value of San Francisco with its matchless harbor and rich back country and the vast potentialities of an interior indefinitely great could not fail to be impressive wherever they became known. As early as 1815 the Russian Captain Otto von Kotzebue had referred in glowing terms to prodigal nature that, hitherto unnoticed, must attract wide notice and provide

blessings to "a happy, prosperous people." Other early expressions of like import furnish a clue to the increasing intensity of the desire on the part of successive administrations at Washington to possess the coveted prize.

That California was destined to fall to some alien power was clearly foreseen by keen observers, as has been foreshadowed on earlier pages. The English consul at Tepic made the comment, ". . . that this fine country has been totally neglected by Mexico, and she must ere long see some other nation its protector, or in absolute possession of it." What power was to secure the prize?

Russia

The Russian advance had been the occasion, first to the Spanish and the Mexican authorities, then to outside powers, for no slight degree of solicitude as to the real intentions of the northern bear. This source of anxiety was finally eliminated, however, when the Russians sold the bulk of their belongings to Captain Sutter and took final leave of California. By treaty agreement entered into with the United States and England, respectively, Russia had already withdrawn her claims to territory south of 54° 40′ in 1824 and 1825. Neither the Spanish nor the Mexican authorities had ever given approval to any Russian claims to territorial possessions in California; both had repeatedly though ineffectually protested against their presence. But when the representatives of the Russian-American Fur Company, about New Year's Day, 1842, sailed for Alaska, there departed with them the last vestige of hope for Russian control in California.

France

There were still three great powers that entertained hopes of winning the prize when—as was generally believed inevitable—the slight tenure of Mexico should

finally fail altogether. These were France, England, and the United States. Perhaps France had no well-defined policy of acquisition, but at least the hope was indulged that in the fullness of time the ripe fruit might fall into her lap. The feeling among prominent Californians is illustrated by the words of General M. G. Vallejo written to Governor Alvarado in 1841: "There is little doubt that France is intriguing to become mistress of California." De Mofras, in his account of his explorations, made careful note of the Frenchmen residing at different points in the territory, emphasized the essentially French character of Sutter's New Helvetia, and called to mind the identity of French and Spanish religion and temperament. The opinion was advanced that "a French protectorate offers to California the most satisfactory way of escape from the dangers that threaten its future." The Monroe Doctrine stood athwart the pathway of France—as indeed of England—as a contender for California. European powers believed this would be firmly maintained by the United States; and at that time California, however earnestly desired, was not deemed worth a war with the great American Republic.

England

Notwithstanding the presence in California of a few Englishmen and a growing appreciation of the value of certain portions of the territory, there is virtually no evidence of real interest on the part of the British Government prior to the Graham affair of 1840, which involved the arrest and deportation of a number of Englishmen and Americans. Then the Government was urged to strengthen the naval forces in the Pacific waters. As a result of the visit of De Mofras, which apparently aroused suspicions of French designs on the coast, Brit-

ish official interest was deepened. On August 30, 1841, Pakenham in a despatch to Palmerston definitely recommended a plan looking toward the ultimate acquisition of California, stating it to be "by all means desirable, in a political point of view, that California, once ceasing to belong to Mexico, should not fall into the hands of any power but England; . . ." Much interest was manifested by Admiral Sir George Seymour, commander of the British squadron in the Pacific, especially following the premature seizure of Monterey by Commodore Jones in 1842. That Seymour, like Pakenham and British officials stationed on the coast, personally desired to see steps taken to acquire California, there can be no doubt.

In the light of these conditions it was but natural for resident Americans to impute to the British Government a definite policy of acquisition, or at least of English protectorate. That such imputation was erroneous, however, is now seen in the statement of Aberdeen, who succeeded Palmerston in the Foreign Office, which put an end to Pakenham's "dream of a British colony in California." It had come to be the "almost unanimous opinion of English statesmen that the day for colonial enterprise had passed." Consul Barron of Tepic and Vice-Consul James Alexander Forbes of Monterey were bitterly disappointed. In his report to Barron, Forbes admits "that it is impossible for Mexico to hold California for a much longer period," and again points out that it would be impolitic to allow any other nation to obtain a footing in the country.

Lord Aberdeen's reply, dated December 31, 1844, is definite and unequivocal. Taking the position that no foreign nation had the right to interfere in any prospective movement by the Californians themselves toward establishing independence, he did not even "think it nec-

essary to enter into any speculative discussion or opinions as to the possible future course of events with respect of California, . . ."

Still, the emergence of the Texas question reveals the fact that England was not indifferent to the final disposition of California. England deemed the impending annexation of Texas to the United States and her admission to the Union as inimical to her own interest, and therefore urgently advised Mexico to recognize the Texan republic, "in order that by some sort of joint diplomatic action France, Mexico, and Great Britain might guarantee the independence of the Texas State." Mexico obstinately refused to listen,—England's advice was wasted. Aberdeen's consequent change of attitude is seen in his determination to let Mexico shift for herself not only with respect to Texas but to California as well; for, he wrote, "if the Mexican Government chooses to be wilfully blind we should in vain attempt to enlighten them."

In short, the British Government, recognizing the serious importance to British interests of the acquisition of California by another power, opposed any act that might tend to stir up revolution in California while not unwilling "to accept the fruits of that revolution if they should fortunately fall into British hands." "Such a passive policy," says Professor E. D. Adams, "was wholly inadequate to the situation, and nobody felt this more keenly than the British agents in Mexico and California." When at length Forbes' protest to his Government against the presence of Frémont in the country brought disavowal and reprimand, it became clear that the British Cabinet had no aggressive policy for the acquisition of the prize of California. This, however, does not belie the fact that many Englishmen very earnestly, and quite naturally, did desire acquisition. It should be recalled that the Ore-

gon question had at the time developed a critical situation; and that, with the Texas annexation, the California acquisition, and the Oregon settlement all trembling in the balance, and all interlinked in important aspects, no merely detached recital of events can correctly express national policy.

Finally, the fear of British designs unquestionably had a distinct bearing upon the development of the American policy, particularly that of President Polk, for to his mind the possibility of British designs amounted to a strong probability.

The United States

Turning to the United States as a competitor for the rich prize, following the thought of acquisition that had found entrance into Jackson's mind, two significant events occurred during the administration of Van Buren,—the arrival in California of Captain Sutter and the Graham affair, a result of which was the recognition of the request for permanent naval representation in California waters. Under Tyler the movement for acquisition by purchase was definite and pronounced. Waddy Thompson pointed out the great advantages that would accrue from possession of San Francisco Bay, "capacious enough to receive the navies of all the world." As Pakenham was solicitous that California "should not fall into the hands of any power but England," so Thompson pointed out that great as were the advantages of acquisition, "they sink in comparison with the evils to our commerce and other interests, even more important, from the cession of that country to England." He continues, "it will be worth a war of twenty years to prevent England from acquiring it."

By the time that Polk came into office observant Americans had settled down to the conviction that California

would go either to the United States or to England: Polk entered upon his administration with the definite resolution of acquiring California. It was therefore not to be expected that the passive policy emanating from a professedly indifferent Cabinet, sitting on the other side of the world, could stand against an aggressive policy in a land where a manifest destiny of continental boundaries had captivated the American imagination. The President earnestly desired California as a great national asset. Thomas O. Larkin, as American consul at Monterey, was Polk's chief reliance for detailed information and the course of local events. His real function was to prepare the way for peaceful annexation by the way of peaceful penetration. Even failing this, however, there remained the method of forcible seizure in case of war with Mexico,—and war was fast becoming inevitable. The stage was set for a grand climax. Manifest destiny had decreed the winner of the capital prize.

Commodore Jones' Premature Conquest

It should be noted that during the period of the Alvarado revolution there was virtually no interference with foreigners in California, though the Graham affair brought an apparent change for the moment. Even before the arrival of the Bartleson-Bidwell party in the autumn of 1841 it had become common talk among navigators that the country would not long remain under Mexican rule: it was repeatedly pointed out how easy it would be for an outside power to secure the prize.

The Mexican administration was badly equipped to carry out any policy looking either to the expulsion of foreigners already in California or to the prevention of entrance by others. Conditions were fast arising which rendered the prohibitory orders of President Bustamante more and more futile and unavailing. While pointing

out to the Americans his own legal obligations, General M. G. Vallejo—as all agree—treated them kindly and considerately. Reporting afterward to the governor, he made a candid statement regarding his course of action, expressing the belief that he "had employed the only means to reconcile justice with circumstances and duty with prudence, the country having the dire alternative of consenting to what it cannot prevent, or commanding without being able to enforce, for want of military strength."

The foreign element in California had become too formidable; and Americans clearly dominated the foreign element, especially when Sutter's Fort and the friendly attitude of its commander were taken into account. Thus the position of the United States as a competitor for the prize was daily strengthened by delay. While further immigration into California was being stimulated, the desire to purchase the territory had found expression in a series of negotiations with the Mexican Government.

In the midst of President Tyler's endeavors to effect a purchase, an event occurred at Monterey which was of such a character as to arouse suspicion among Californian and Mexican leaders regarding the attitude of the administration at Washington and at the same time reveal something of the deeper policy of the United States. In the early autumn of 1842 Commodore Thomas Ap Catesby Jones, maintaining vigilant outlook upon the movements of the French and particularly the British vessels, was led to believe that actual hostilities existed between Mexico and his Government. A critical point having been reached in diplomatic relations, growing out of conditions in Texas, war had come to be viewed as imminent. Remembering that he was without means of prompt communication with Washington, and in the

light of his instructions, it is not difficult for us to understand Jones' course of action.

Having carefully considered the entire situation and being rendered doubly alert by the sudden departure of Rear Admiral Thomas with three British men-of-war, Jones departed for the north, September 7, with the *United States, Cyane,* and *Dale,* whose commanders he consulted fully. In the event that the two countries were authoritatively found to be at war, they deemed it their "bounden duty" to seize and hold the ports of California. Military occupation by any European power, "but particularly by our great commercial rival England," would be regarded so clearly hostile "as not only to warrant but to make it our bounden duty to forestall the design of Admiral Thomas if possible by supplanting the Mexican flag with that of the United States."

Dispatching the *Dale* to Panamá with a report for Washington, Jones proceeded with the two other vessels to Monterey, rounding the Point of Pines at dawn, October 13. No English vessel was found in the harbor; yet, quickly observing conditions and appraising such reports and rumors as he could gather, he decided that the situation demanded action, recognizing the possibility that he might be totally wrong in his deductions. "Terrible as such a consequence would be to me and my family," he stated in his report to the secretary of the navy, "it was not sufficient to deter me from doing what I believed to be my duty, when a concatenation of unforeseen and unforeseeable events required prompt and energetic action for the honor and interests of my country."

On the afternoon of that same day formal demand was made for the surrender of the post, and at nine o'clock the following morning the articles were signed. Alvarado signed—so it was specified—"from motives of

humanity; the small force at his disposal affording no hope of successful resistance against the powerful force brought against him." Accordingly, at eleven o'clock, October 20, 1842, the Stars and Stripes supplanted the Mexican flag over the government house at Monterey, thus asserting possession of the territory extending from San Luis Obispo to San Juan Bautista.

The generous intentions of the American commander were set forth in a proclamation to the inhabitants of California, which was calculated to impress upon them the rich blessings vouchsafed by the change of flags. However, after further investigation of recent Mexican papers, Jones was finally convinced that friendly relations existed between the two countries at least to August, and moreover that the rumored cession to England was without substantial foundation. This change in the aspect of affairs removed any justifiable grounds for demanding the surrender of the territory, and made it his duty, to employ his own words, "to restore things as I had found them, with the least possible delay." Quick restoration was accordingly made, the American garrison retired to their vessels, and a salute was fired in honor of the Mexican flag. During the weeks that Jones remained in the north his personal and social relations with the Californians were most friendly; the thought that they were to enjoy a more stable government than their own had been by no means displeasing to some of their most influential leaders.

In due time formal apologies were offered the Mexican authorities by Daniel Webster, secretary of state, together with assurances that ample reparations would be made for injuries done. Mexico took diplomatic advantage of the occurrence and demanded that the offending commodore be brought to trial,—which, however, was never done. In an official communication from the sec-

retary of the navy, March 1, 1845, Jones was exonerated from all blame and promised a new command. The premature flag-raising episode was practically without significant result. It revealed the fact that the United States did not intend to be forestalled by any European nation in California. It was but natural that Mexico should take alarm at the unseasonable occurrence. Nevertheless California remained an easy prey for any great power, so far as Mexico was concerned.

President Polk's Policy

In the November, 1844, election Polk was elected President on a platform favoring the annexation of Texas. Foreign governments began to understand that the United States was definitely committed to that policy and any attempt on the part of a European power to prevent it might become a *casus belli*. In England it became increasingly clear to Aberdeen that an inevitable result of war between the United States and Mexico would be the American acquisition of California; but he felt powerless to prevent this since he was unwilling to risk the consequences of a war in order to try to keep California from falling to the United States.

When Polk entered upon his administration in March, 1845, he had his heart set on the accomplishment of four great objectives: a substantial reduction of the tariff, the establishment of an independent treasury, the settlement of the Oregon question, and the acquisition of California. Regarding the last of these, his first hope was to buy the province;—failing in that, three other possible methods presented themselves: (1) revolt of leading Californians against Mexico, aided by willing Americans who would be expected to seek admission into the Union; (2) patient delay, while the province was being occupied by more and more Americans who would inevi-

tably seek independence from Mexico; and (3) forcible seizure in the event of war with Mexico.

Polk's earnestness in aggressively promoting his policy is abundantly attested by his entire administration. The real purpose of appointing John Slidell as official representative of the American Government to Mexico was the purchase of California, including New Mexico. We cannot here be concerned with the dreary details of Slidell's Mission. Cleland says he was "thoroughly disgusted and disgruntled with the tortuous course of Mexican diplomacy." The failure of Polk to purchase California, like that of Jackson and of Tyler, was due rather to internal Mexican conditions than an unwillingness of the ruling faction to sell. Meanwhile the tenure of Mexico in California, as already observed, had become exceedingly slight, while the peaceful penetration of American settlers was having a cumulative effect.

The Bear Flag Revolution

The storm which broke in the revolt of the Bear Flag party in the spring of 1846 was already brewing in the fall of 1845. Leading factors were the war scare over the Mexican situation, which waxed and waned in California with the changing character of the rumors filtering in; the fear that the Californian officials might seriously attempt to carry into effect the orders from the Mexican Central Government which demanded the expulsion of foreigners; and the passion aroused by the Libbey-Spear affair, arising out of an assault at Yerba Buena on Elliott Libbey, a Yankee sea captain, and Nathan Spear, an American merchant, resulting in Libbey's being dangerously wounded.

That the feeling not uncommon among Americans to the effect that they were likely to be attacked by embittered Californians was not without some warrant is il-

lustrated by Thomas O. Larkin's letter to Secretary Buchanan, in which he refused to predict the state of affairs for even five years, and added: "I shall be in continual expectations of hearing of some outbreak from one or the other, in one or two years, perhaps in less time."

After Frémont's affair at Hawk's Peak, referred to elsewhere, further trouble was quite certainly anticipated. The unexpected return of Frémont from the north into central California, "was to the fears of the settlers as a spark to powder." Being wholly in the dark regarding government instructions and the appointment of Larkin as confidential agent, the settlers were governed largely by their own imaginings. Being doubtless too ready to credit the report that a strong band of Californians was actually advancing toward Sutter's Fort, intent on expelling the foreigners, American settlers excitedly made their way to Frémont's camp, near the Marysville Buttes.

Frémont himself was placed in a position at once difficult and extremely delicate. On the one hand, he had no official sanction for instigating a revolt among the settlers, however strong the provocation or his personal predilections: on the other hand, neither his inclination nor his official judgment would permit him willingly to see the inevitable revolt go to pieces and the American settlers driven out of the province for lack of such support as lay in his power to afford. The situation was decidedly critical.

Early in June a large band of government horses, which General José Castro had obtained from General M. G. Vallejo, was being driven from Sonoma to Santa Clara Valley by two officers, the most feasible route being eastward across the Sacramento River to Sutter's Fort, thence southward into the San Joaquín Valley and west-

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THE BEAR FLAG

ward to San José. It was easy for Americans to believe that these horses were to be used in an expedition against themselves,—as part of a movement for the expulsion of foreigners from California.

With the full sanction of Frémont, if not by his direct order, a small party of Americans led by Ezekiel Merritt effected the haughty capture of almost the entire band, taking the horses to Frémont's camp. Sutter was completely surprised on learning what had happened and was greatly agitated by Frémont's treatment of him. Here was a war-like act, which quickly precipitated the Bear Flag revolt and hastened the actual American conquest. It was decided that Sonoma must be taken before intelligence of the taking of the horses could reach General Vallejo, for Sonoma was regarded as the chief stronghold of the Californians north of the bay region.

The actual capture of the quiet little pueblo at early dawn, June 14, was a rather ludicrous affair: "To whom shall we surrender?" demanded the kindly general's wife, unable to comprehend the commotion. After a scene of no little confusion, simple articles of capitulation were arranged and signed, Mariano and Salvador Vallejo and Victor Prudon were made prisoners and were sent to Frémont's camp, thence to Sutter's Fort, where, for want of a suitable prison, they were placed under guard in Sutter's parlor. For weeks the prisoners languished at Fort Sacramento, under the general charge of Lieutenant Edward M. Kern. Finally, in late July, Commodore Stockton "formally nullified the action of the Bear Flag men by a written order, and later the prisoners were given their freedom."

In the meantime William B. Ide emerged at Sonoma a real leader. The fort was quickly taken without opposition, including eighteen prisoners and all military equipment. Ide and his followers resolved upon remaining at

Sonoma with a view to rendering secure their conquest. In the new movement a flag was one of the first things needed; for while the party would greatly have preferred to use the American flag, such action was not authorized by Frémont. The Bear Flag was quickly improvised, the colors—red, white, and blue—being quite naturally used. The bear was selected because the grizzly was the strongest animal to be found in that section. Thus the language of this crudely-constructed ensign was, "A bear stands his ground always, and as long as the stars shine we stand for the cause."

But with the Bear Flag victoriously floating, the Americans desired to be known as something other than a band of filibusters; therefore Ide, "commander-in-chief," issued a formal proclamation, giving his "inviolable pledge to all persons found in California not found under arms that they shall not be disturbed . . . ," and set forth his real objects to be "to defend himself and his brave companions in arms," and "to invite all peaceable and good citizens of California, who are friendly to the maintenance of good order and equal rights."

Further organization of the party was effected by the formation of three small companies, of which the captains chosen were Henry L. Ford, Granville P. Swift, and Samuel J. Hensley. The seriousness of the quite anomalous situation became daily more evident, and the increasing magnitude of the movement became more and more startling. To what extent the conquest of California might actually have been achieved, and precisely what might have been the destiny of the Bear Flag Republic, can never be certainly known.

On the 10th of July the American flag was officially sent to Sonoma. Commodore Sloat had taken Monterey and had formally proclaimed the American conquest. Our national ensign replaced the Bear Flag: within a few

days the colors were unfurled at every important point in northern California. The "California Republic" was quickly at an end; the enthusiasm was unbounded as with great unanimity the Americans enlisted to complete for the United States the conquest that had been rendered certain by the opening hostilities of the Mexican War. By the capture of Sonoma and the subsequent endorsement by Frémont of the movements of the Bear Flag Party, Larkin's plans for acquisition by peaceful means and quiet diplomacy had been effectively nullified.

With the destruction of the original Bear Flag in the great San Francisco fire of 1906, the State lost one of its most interesting historic relics; but the memory of that emblem and the tradition that clusters about it will never be suffered to grow dim in the minds of the common people of California. By legislative act approved February 3, 1911, the Bear Flag was adopted as the California State Flag.

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Chapter XXIV

THE AMERICAN CONQUEST COMPLETED

Third Expedition of John C. Frémont

IN May, 1845, Frémont set out from St. Louis upon his third and most extensive exploring expedition, an ostensible object being the discovery of a shorter and more feasible route across the mountains to the Pacific. He was eager to revisit California and more fully examine its character and resources. His party was composed of sixty-two men, including six Delaware Indians,—a rather formidable force to appear in California at such a time, though protesting that it had not "the least view to military operations"; and Frémont was fully aware of the strained relations between the United States and Mexico.

Winter overtaking him while in the region of Walker's Lake, the party was divided, Frémont setting out for Sutter's Fort with fifteen men and the main body under Joseph Walker being directed to proceed southward and cross the Sierra Nevada into the San Joaquín Valley through Walker Pass. Obtaining needed supplies from Captain Sutter, who was far from pleased with the attitude of superiority and air of secrecy exhibited by the young officer, Frémont returned to the appointed meeting place; but failing to find Walker's party, he retraced his course to Sutter's. Leaving instructions for his men to proceed later to Yerba Buena, he proceeded to Monterey in company with W. A. Leidesdorff, American Vice-Consul, to confer with Thomas O. Larkin, American Consul.

To the pointed inquiry of Manuel Castro, the prefect, Frémont explained that the character of his expedition was purely scientific and entirely peaceful, and that he was in Monterey to purchase needed supplies to continue his explorations to Oregon, while most of his men tarried in unsettled portions of the province. The suspicions of the Californians were allayed for a time, in part at least, and Frémont secured permission to winter in California with the proviso that his men be kept away from the settled portions near the coast.

It was not until the middle of February that the Walker party joined Frémont and his men, in Santa Clara Valley. Then the entire force, after a brief stay in the vicinity of San José, took up its march toward the coast, proceeding by way of Los Gatos across the Santa Cruz Mountains and making camp in Salinas Valley, perhaps twenty-five miles from Monterey. From this point the motives and activities of Frémont have been the subject of endless controversy, nor can it be said that his course has even yet been entirely clarified. Whatever his purpose might have been in traveling southward, he seems to have had no misgivings that his conduct was in violation of the provision imposed, though it certainly subjected him later to severe criticism.

Great was his surprise and indignation when he received peremptory orders to leave the province immediately. "I desire the officer to carry as my answer," he said in his later account, "that I peremptorily refused to comply with the order, which was an insult to my Government. My men, like myself, were roused by the offense, and were eager to support any course I saw fit to adopt."

Then followed the Hawk's Peak episode. Frémont took possession of a nearby hill, Gavilan (Hawk's) Peak, where on March 6 a log fort was built and the American

flag raised. For three days he held possession, while General José Castro busied himself with military preparations with a view to dislodging the Americans. Then Frémont retired "slowly and growlingly" to the north before a force outnumbering his own five to one. The Americans remained about a week in friendly territory near Sutter's Fort, then took up the march toward Oregon. The affair of Hawk's Peak amounted to but little in itself, but the results were unfortunate, both in stirring up antipathy on the part of the Americans toward the Californians and in outraging the feelings of the Californians and giving color to the persistent rumor that the Mexican Government had purposed expelling all foreign residents from the province. In the light of subsequent events the episode may be regarded as a direct cause of the Bear Flag revolt.

The Gillespie Mission

On May 8 Frémont encamped near the northern end of Klamath Lake. That night news was brought that a United States officer bearing dispatches was on the trail two days behind. The captain promptly set out, with nine of his men, to meet the messenger, who proved to be Lieutenant Archibald H. Gillespie. He brought a packet of letters from Senator Thomas H. Benton, Frémont's father-in-law, and had memorized Buchanan's dispatch. The nature of the secret dispatches carried by Gillespie was for many years a matter of much conjecture and long controversy. We may now state with assurance that they conveyed an impression that war with Mexico was inevitable and, in effect, they directed Frémont, in the event of war, to hold himself in readiness to co-operate with land and naval forces of the United States. Concerning the letters from Benton Frémont later wrote: "His letters made me know distinctly that

at last the time had come when England must not get a foothold; that we *must be first.* I was to *act,* discreetly but positively."

At this point brief reference is made to the so-called "Macnamara colonial scheme." Father Eugenio Macnamara, a Catholic priest, proposed to plant in California an Irish colony, his avowed objects being to advance the cause of Catholicism, contribute to the happiness of his countrymen, and prevent further usurpations by "an irreligious and anti-Catholic nation." One thousand families were to be settled in the San Francisco Bay region as a beginning. Whatever interest in the scheme accredited British representatives may or may not have had, the "Macnamara grant" was a widely-discussed topic, and it was freely asserted that the revolutionary movement in Sonoma was the effective cause of the prevention of its realization.

Frémont's decision to return to the Sacramento Valley, which he declared to be "the first step in the conquest of California," transformed him from an explorer into a soldier. Conditions were ripe for some hostile demonstration,—this took the form of the seizure of the Mexican horses, described on a previous page, quickly followed by the Bear Flag revolt. Frémont has been subject to much criticism for his course and his conduct. It is quite generally conceded that he made mistakes and at times was found wanting in tactful procedure; nevertheless—in view of his lack of touch with Washington, acting under rather vague instructions, and the perplexities of the situation coupled with his own personal desires—the course he pursued was on the whole a natural one and certainly not wholly blameworthy. Now that war had become a desideratum, if not an actuality, his course precluded the possibility of achieving the acquisition by wholly peaceful means, as

was so earnestly desired by Larkin and apparently so near to actual accomplishment.

Thomas O. Larkin

The services of Thomas O. Larkin as American consul and later as confidential agent are deserving of warm appreciation. He had come to California in 1832 and had developed a private trading business of considerable magnitude along the coast. Having been appointed United States Consul to California in 1843, and having made himself thoroughly conversant with conditions in the province, he is to be credited with an important service in keeping his government informed as to the posture of events. His numerous communications and his unremitting watchfulness regarding the movement of England and France earned for him the title, "the pioneer of the acquisition." His policy was ever one of conciliation, but by no means half-hearted; his official and private correspondence constitutes one of the richest sources of information of the involved history of the entire period; his actual contribution, though far from spectacular when compared with that of Frémont, is deserving of grateful recognition.

Commodore John D. Sloat Takes

Commodore John D. Sloat, commander of the United Naval forces on the Pacific, had been instructed to seize San Francisco and other harbors in the event of war with Mexico. Learning through Larkin of the Hawk's Peak affair, he ordered Captain John B. Montgomery to Monterey, he remaining off the coast of Mexico. Montgomery keenly watched the rapidly developing situation; but, being totally ignorant of the existence of war with Mexico, he was denied active participation. A few weeks later another vessel, under Captain William Mervine,

was ordered to Monterey. Finally, about the first of June, Sloat himself put off to sea from Mazatlan in the flagship *Savannah,* for the same port. Admiral Seymour, commander of the British squadron in the Pacific, had been keeping a close watch upon the movements of the American commander, ready to "protect the British interests in California" in the event of war. It was but natural, therefore, that Sloat should share in the solicitude felt by the administration at Washington concerning English designs.

While in the post at Monterey, Sloat received several dispatches and had extended conferences with Larkin, learning from him of the revolutionary movements in California, the capture of General Vallejo, the Bear Flag Republic, and the activities of Frémont. Since he did not at once raise the American flag he has been charged with indecision and inaction; and his anxiety to commit no wrong did place him in a delicate position. He knew not by what authority Frémont had been acting, neither was he informed as to the import of Gillespie's message. There has been widespread misconception as to Sloat's specific instructions and as to his knowledge of a declaration of war between the United States and Mexico. It is quite evident, however, from the proclamation issued to the inhabitants as well as from other contemporary official correspondence that he did have positive knowledge of hostilities on the Rio Grande, even though he had not been officially informed of any "formal declaration of war" by his superiors at Washington. He afterward acknowledged that the only reliable information he had of the breaking out of the Mexican War, "and which induced me [he wrote] to proceed immediately to California, and upon my own responsibility to take possession of that country . . ." was received in a letter from Fleet Surgeon William Maxwell Wood.

From Pictorial History of California

RAISING OF THE AMERICAN FLAG AT MONTEREY

At 10 o'clock A.M., July 7, 1846, some 250 marines and seamen were landed under Captain Mervine and marched directly to the custom house, the commodore's proclamation was read, the United States flag raised and cheered, and a salute of twenty-one guns fired from each American vessel. Thus did the regular forces of the United States take formal possession of California.

In the proclamation to the inhabitants, which was temperate and skillfully drawn, Sloat referred to the actual state of war between the two nations but announced his friendly intentions in these words: "I declare to the inhabitants of California that, although I come in arms with a powerful force, I do not come among them as an enemy of California; on the contrary, I come as their best friend, as henceforward California will be a portion of the United States, and its peaceful inhabitants will enjoy the same rights and privileges as the citizens of any other portion of that territory, . . . together with the privilege of choosing their own magistrates and other officers for the administration of justice among themselves; and the same protection will be extended to them as to any other state in the Union. . . ."

A week later it was announced that the flag of the United States was flying at Yerba Buena, Sutter's Fort, Sonoma, and other points. The "Bear" men gladly forsook their purpose of maintaining an independent republic and eagerly enrolled under the Stars and Stripes. Sloat's act came in the nick of time to relieve these leaders of the necessity of pushing their conquest throughout the province, on the one hand, or of beating an inglorious retreat, on the other.

Commodore Robert F. Stockton

On July 15 Commodore Robert F. Stockton arrived at Monterey on the *Congress,* reporting for duty to Sloat,

who announced his intention of retiring. About a fortnight later, alleging infirm health, he assigned his command to Stockton and sailed for home *via* Panamá.

The new commander immediately took steps to complete the conquest of the province. His bold proclamations were in striking contrast to Sloat's moderation. Moved by "daily reports from the interior of scenes of rapine, blood, and murder," he announced that he would not confine his operations "to the quiet and undisturbed possession of the defenseless ports of Monterey and San Francisco," avowing his intention of marching "against these boasting and abusive chiefs" of the interior and of the southern district. Accordingly he organized the forces of Frémont and volunteers among the settlers as the California Battalion of mounted riflemen. This battalion was largely instrumental in effecting the actual conquest. "We simply marched all over California, from Sonoma to San Diego," wrote John Bidwell afterward, "and raised the American flag without opposition or protest. We tried to find an enemy, but could not."

Frémont, now commissioned a major by Stockton and acting under his orders, reached San Diego July 29 on the *Cyane,* and about a week later Stockton himself arrived at San Pedro. Thus, while Frémont was marching northward from San Diego, Stockton made ready to advance on Los Angeles from San Pedro. The Californians had no army worthy of the name, Castro's forces then numbering scarcely a hundred men, largely disaffected and almost without arms. Despite his dire threat that if Americans marched on Los Angeles they would there find their grave, there was no serious resistance: instead, Castro advisedly took the old Anza trail to Sonora, while Pío Pico, the governor, sought refuge for a time in Baja California.

On the afternoon of August 13 Los Angeles was en-

tered by the combined American forces and the Stars and Stripes raised without the slightest demonstration of opposition. Stockton in a series of proclamations addressed the Californians as a generous conqueror, and Frémont gained popularity for his humane treatment of the conquered population. Thus was concluded what may be called the first conquest of California by American forces. The story of the reconquest of the southern portion of the province is quickly told.

General Stephen W. Kearny

Shortly after the opening of actual hostilities in the Mexican War General Stephen W. Kearny had been ordered to proceed overland from Fort Leavenworth to take Santa Fé and the province of New Mexico. This accomplished, he received orders to proceed to California, there to co-operate with Stockton in securing possession of the province. Kearny's instructions expressly state that "A large discretionary power is invested in you in regard to these matters, as well as in all others." On September 25 he set out from Santa Fé on a march of more than a thousand miles. It had been decided that Kearny was to be accompanied by three hundred men of the First United States Dragoons and was to be followed by another company of dragoons and the "Mormon Battalion," whose five hundred members had enlisted with the understanding that they would receive their discharge in California.

In the meantime Captain Gillespie had been left in command of Los Angeles with an insufficient garrison of but fifty men. Failing to understand the Californians, Gillespie is said to have displayed an air of superiority and intolerance where tact and friendliness would have been his most powerful weapons. A feeling of deep resentment stirred within the breasts of the turbulent na-

tives, which quickly passed from irritation to exasperation, and from exasperation to open insurrection. The result was that Gillespie found himself surrounded by several hundred excited Californians, in spite of the parole given by General Andres Pico not to take up arms against the United States. He suddenly realized his perilous situation, no available assistance being nearer than Monterey.

At this juncture Gillespie sent a courier on the long journey northward for aid from Commodore Stockton. The performance of this messenger, Juan Flaco, was one of the most daring and brilliant rides on record. Eluding the besiegers and taking a course that lay through hostile territory, "Lean John" made the trip on horseback from Los Angeles to San Francisco—more than five hundred miles as he rode—in between four and five days. With his dispatch written on cigarette paper and concealed in his hair, pursued for miles by Californians, despite the difficulty in securing fresh horses and loss of sleep he delivered the message to Stockton.

Captain Mervine promptly set sail for San Pedro with three hundred and fifty men, and Frémont, also acting under orders from Stockton, made ready to proceed southward at the head of the battalion. Mervine dropped anchor at San Pedro on October 7. But the generous help from the north came too late to avail for Gillespie, whose position on Fort Hill was seen to be untenable even before Flaco could deliver his message,—the only course was to surrender. Under the terms of capitulation, Gillespie marched his men to San Pedro, under agreement to embark at once on a merchant vessel.

Forces were landed by order of Mervine and placed under command of Gillespie. Then followed the engagement known as the battle of Dominguez Rancho, the Californians being under command of José Antonio Car-

rillo and comprising in their ranks much of the flower of southern California's manhood, mounted on fine horses and armed with lances and carbines, as well as a four-pounder, which was skilfully handled by means of reatas. Following the engagement the Americans returned on ship board, having suffered a loss of five killed and a number wounded, the bodies being buried on a small island in San Pedro harbor thenceforth known as "Dead Man's Island." The revolt spread, and for a brief time the territory from Santa Barbara to San Diego was again in the hands of the Californians, José María Flores having been proclaimed provisional governor.

The alarm spread to northern California. Lieutenant Joseph Warren Revere addressed a letter to Lieutenant Kern at Fort Sacramento, declaring, "the enemy threaten the lives of all Americans in the country," and calling all his countrymen in California to arms. However, the only actual engagement in the north was a skirmish in November in Salinas Valley, known as the battle of Natividad. This resulted in a loss of four Americans killed and as many more wounded, the Californians sustaining a similar loss.

Stockton had reached San Pedro October 23, thence proceeding to San Diego. While planning an attack on the "horse-covered" hills toward the north, an important message was placed in his hand, which distinctly modified the subsequent course of events. This was a letter from General Kearny. In early October Kearny had met Kit Carson, who was bearing dispatches to Washington from Frémont and Stockton, including a report "that the American flag was flying from every important position in the territory, and that the country was forever free from Mexican control; the war ended, and peace and harmony established among the people." In consequence of this report Kearny directed that the most

of his forces should remain in New Mexico, while he set out for California with one hundred men and two mountain howitzers. He was met by a small party of volunteers under Gillespie.

The Battle of San Pasqual

We must now record the battle of San Pasqual, of December 6, 1846, the most bloody contest of the entire conquest, and from the standpoint of the Californians "the fight *par excellence* of the war." Kearny's attack was launched with the approval of Gillespie and Kit Carson. After a fierce hand-to-hand combat, the Californians retreated, the Americans in pursuit; but because of the jaded condition of the animals and lack of compact formation, the retreating enemy, with brilliant strategy, suddenly wheeled and rushed Kearny's scattered forces, killing Captain Benjamin D. Moore and sixteen other men before the rear guard could bring up the howitzers. Kearny himself received two ugly lance wounds. The battle had been fought with undoubted valor but against heavy odds: the mules became unmanageable and the short sabres were a poor match for the long lances of the well-mounted Californians.

Early the next day the Americans resumed their march toward San Diego; but progress was slow and Kearny's position precarious. Making camp on a hill near the San Bernardo ranch, he was virtually surrounded by hostile forces, his men subsisting for several days on mule-flesh and scanty water supply. But four days later their spirits were gladdened by the arrival of two hundred sailors and marines sent out by Stockton in response to Kearny's appeal for help. The enemy forces were completely disconcerted, the march resumed, and San Diego reached December 12. The battle of San Pasqual, the most sanguinary in California history, constituting an important incident in the American conquest, will take

its place, says Owen C. Coy, "as one which shows forth boldly the courage and fortitude of the men who composed the American Army on the one hand, but also the dash and skill of the irregular California cavalry on the other hand."

Acting under his instructions, Kearny conceived it to be his duty to establish the supremacy of the United States over California; but prior to his arrival the first conquest had been effected by Stockton, as commander-in-chief and acting governor. Stockton declined to turn over the chief command of the land forces or his position as governor to Kearny, who, recognizing his powerlessness, with but a handful of troops, deferred making unqualified assertion of his full rights and sought to avoid friction with a naval officer. Thus the combined forces, numbering about six hundred men, left San Diego, December 29, and took up the line of march for Los Angeles.

At the same time Frémont started south from Monterey by way of Salinas Valley with more than four hundred men. After a week's delay at Santa Barbara, he entered San Fernando Valley, January 11, 1847.

Kearny and Stockton met no real opposition until they reached the San Gabriel River, near the present town of Montebello, where they encamped January 7. General José Flores, marching from San Fernando to Cahuenga Pass and thence southward to the bluff above the north bank of the San Gabriel, planned unsuccessfully to surprise Stockton. The Americans moved across the river in the form of a square, covered by skirmishers and carbineers. Bringing their artillery into action, the guns of the enemy were silenced and the bluff captured, leaving them free to celebrate the victory of the battle of San Gabriel River, which meant the reconquest of California. On the following day (January 9), in the *Cañada de los Alisos,* near the Union Pacific Stock Yards of today, was

fought the final battle of the war in California, known as the battle of La Mesa, which was of comparatively slight importance as a contest but which confirmed the previous day's victory and preceded the actual re-occupation of Los Angeles. After sustaining heavy loss, the Californians abandoned the field, scattering in different directions.

On January 10, 1847, the Americans entered the City of the Angels, marching up the principal street to the Plaza, where Gillespie hoisted the same flag upon the government house which he had been compelled to haul down in September. It was not to be again lowered. The war was in fact ended.

The Cahuenga Capitulations

On January 13 Andres Pico, to whom Flores had advisedly abdicated, surrendered to Frémont, who was then approaching Los Angeles from the north. Apparently without questioning his own authority, Frémont entered into an arrangement with Pico well calculated to enhance his reputation and popularity. The Cahuenga Capitulations, referred to as the "California Appomattox," were subscribed to by commissioners appointed by the parties to the compact and ratified by Frémont. Colton pronounced them "liberal in their spirit, wise in their purpose, and just in their application."

The "Mormon Battalion" arrived too late to participate in the actual conquest, reaching San Diego, January 29, 1847. However, their conduct was such as to win the commendation of Governor Mason; and in July they were marched to Los Angeles to be honorably discharged.

On the 6th of March two hundred and fifty members of Stevenson's Regiment of New York volunteers, enrolled for service in California, arrived in San Francisco. These men had enlisted with the intention of becoming

settlers at the conclusion of hostilities. When the war was actually ended, the only volunteer forces remaining in service were the companies of Stevenson's New York regiment: within a few months the discharge was completed and all were quickly absorbed in the Californian population, numbers of them becoming prominent pioneers. Mason paid a well-merited compliment to Colonel Jonathan D. Stevenson.

The Treaty of Guadalupe Hidalgo

During February and March nearly all the volunteers were discharged from active service. The war between the United States and Mexico came to an end with the Treaty of Guadalupe Hidalgo, February 2, 1848. The boundary line was so defined as to give to the United States all of Alta California, New Mexico, and Texas, with provision for the free navigation of the Gulf of California and the Colorado River south of the line. Resident Mexicans were given the option of becoming American citizens or of leaving the territory without prejudice. The government of the United States engaged to pay that of the Mexican Republic the sum of $15,000,000.

With the promulgation of this treaty was definitely accomplished the great objective which President Polk had set before himself on entering upon his administration. Alta California was no longer merely conquered territory in time of war but was thenceforth completely under American dominion, an integral and indisputable part of the territory of the United States.

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Part V

THE ACHIEVEMENT OF SOCIAL ORDER

Chapter XXV

GOLD

IMMEASURABLY exceeding in human interest and historical significance every other episode in California's remarkable history since its occupation by men of the white race stands the gold discovery by James Wilson Marshall. Indeed, few events in modern history have more definitely and profoundly influenced the onflowing current of universal history. Marshall's discovery called into instant being an army of modern Argonauts the recounting of whose exploits constituted a great American epic of world-wide interest and made California the Mecca of the bold and venturesome from all lands; it caused a great commonwealth to spring full-orbed into being, as from the brow of Jupiter; it decreed that the Empire State of the Pacific should cast the die that was to sound the death knell of human slavery throughout the United States. Marshall's gold discovery at Coloma stands unique in the annals of man.

Early Knowledge of Gold in California

It is well known that Marshall was by no means the first discoverer of California gold. The existence of gold in the Sacramento Valley was known to at least a few persons long before 1848. Mission Indians are reported to have brought it to the padres on different occasions, but they were cautioned not to divulge the secret. William Heath Davis states that gold nuggets were shown him by at least two of the padres. In a book published in Edinburgh in 1816 is found a reference to a plain, on

the coast of California, "covered with alluvial deposits, in which lumps of gold are dispersed."

John Bidwell, pioneer of 1841, referred to a discovery by Baptiste Ruelle that year in the vicinity of Los Angeles. There are detailed accounts of the discovery by Francisco Lopez in San Feliciano Cañon, about eight miles from the present site of Newhall. The precise date of Lopez's discovery remains a matter of considerable doubt: James M. Guinn has given it as March 9, 1841, and it was certainly as early as the spring of 1842. Resting in the shade of a tree one day, while searching for some stray horses, Lopez (according to Abel Stearns) "with his sheath knife dug up some wild onions and in the dirt discovered a piece of gold. Searching further, he found more."

Following the news of this discovery, the first California gold rush began, participated in by perhaps several hundred men. On November 22, 1842, Stearns "sent to Alfred Robinson, Esq., 20 oz. California weight of placer gold to be forwarded by him to the U. S. mint at Philadelphia for assay." Manuel Castañares, a deputy in the Mexican Congress, was sent to California the same year to investigate industrial conditions. In his report, two years later, he refers to the great attention attracted by a gold placer discovered in 1843. In the autumn of 1844 he pronounces the mining interest of California "of greatest importance," referring to it as "one of the most valuable resources of the department."

However, there is little authentic information regarding these early placers, and the Mexican Government apparently made no attempt to collect complete data nor to enact any system of mining laws. The pre-Marshall gold rush did not acquire any considerable volume or momentum. While paying just tribute to the first discoverers, it remains true that it was Marshall's discovery

in 1848 that startled humanity and focused the eyes of the world on the new El Dorado. The earlier discoveries were premature—"a match struck in the dark"—without permanent or appreciable influence in the main current of events. The culmination of early California history is not to be found in the days of Spanish exploration, revealing as they do the true Vikings of the Pacific; nor in the founding of the Franciscan missions, outposts as they were on the frontiers of western civilization; nor yet in the carefree days of the Arcadian age. The Days of '49 must be pronounced an actual culmination of all that went before in California history, furnishing in turn a fitting vantage ground and prophecy of what has since been and is yet to be.

James Wilson Marshall

The honor of the great gold discovery has been settled by virtually common consent upon James Wilson Marshall. Notwithstanding this fact, all efforts to make Marshall a personally great man have failed, for nature seems to have failed to endow him with the distinctive qualities of essential greatness.

This young soldier of fortune, a native of New Jersey, equipped with a fair education, a flint-lock rifle, and his father's trade of a coach and wagon builder, bade his parents good-bye and started west. He felt the yearnings for a pioneer life. After checkered experiences in Indiana, Illinois, and the Platte Purchase, he joined an emigrant train of a hundred wagons for California in the spring of 1844. After wintering at Fort Hall, the party divided, Marshall and forty companions proceeding to Oregon, without wagons. After reaching the Willamette he joined a band of adventurers *en route* for California, arriving at Sutter's Fort in July, 1845.

At the hand of Captain Sutter Marshall found ready

employment, and later he purchased two leagues of land on Little Butte Creek. For a time he was engaged in constructing and repairing spinning wheels, making plows and ox yokes, building and repairing carts,—in short, he served in the capacity of general-utility man, making himself useful about the colony. He was deficient in those qualities that won remarkable popularity for Sutter, of whom he appears to have been morbidly jealous.

In 1846, after rendering assistance against the hostile Mokelumnes, he joined the Bear Flag party, later enlisting in Frémont's California Battalion and continuing in service until the completion of the American conquest. He then returned to Sutter's Fort, "barefooted and in a very sorry plight." Nearly all of his live stock had strayed from his ranch or had been stolen; like many another, he had received no compensation for his war services;—he was virtually penniless, and heartily glad to find employment again with Captain Sutter.

In response to a greatly increased demand for lumber caused by the influx of immigrants, Sutter sent out an exploring party under Marshall to search for good, accessible timber. According to the terms of a contract drawn up by John Bidwell, Sutter agreed to supply the necessary capital for a saw mill, and Marshall was to select the site and run the mill, receiving as compensation one-fourth of the lumber. A favorable spot was located in a small valley of about 1,500 feet elevation, on the South Fork of the American River, which the Indians called *Cullomah*. This was some forty-five miles northeast of Sutter's Fort, and accessible by wagon.

The Great Discovery

The mill being practically completed, some timber was cut in January, 1848; but the tail race was found to be too shallow to convey the volume of water from the

From Pictorial History of California

SUTTER'S MILL, 1851

wheel. Water was therefore turned into the race by means of a wing-dam from the river and allowed to run each night to deepen the bed and cut away the margins of the race. An epitome of what happened is told in Marshall's own words:

Our first business was to put up log houses, as we intended remaining here all winter. . . . We then cut timber and fell to work hewing it for the framework of the mill. . . . In digging the foundation of the mill we cut some distance into the soft granite; we opened the forebay and then I left the fort. . . .

I returned in a few days, and found everything favorable, all the men being at work in the ditch. When the channel was opened it was my custom every evening to raise the gate and let the water wash out as much sand and gravel through the night as possible; and in the morning, while the men were getting breakfast, I would walk down, and, shutting off the water, look along the race and see what was to be done, . . .

One morning in January,—it was a clear, cold morning; I shall never forget that morning,—as I was taking my usual walk along the race after shutting off the water, my eye was caught with the glimpse of something shining in the bottom of the ditch. There was about a foot of water running then. I reached my hand down and picked it up; it made my heart thump, for I was certain it was gold. The piece was about half the size and of the shape of a pea. Then I saw another piece in the water. After taking it out I sat down and began to think right hard. I thought it was gold, and yet it did not seem to be of the right color; . . . Suddenly the idea flashed across my mind that it might be iron pyrites. I trembled to think of it! . . . Putting one of the pieces on a hard river stone, I took another and commenced hammering it. It was soft and didn't break: it therefore must be gold, but largely mixed with some other metal, and very likely silver; for pure gold, I thought, would certainly have a brighter color.

When I returned to our cabin for breakfast I showed the two pieces to my men. They were all a good deal excited, and had they not thought that the gold only existed in small quantities they would have abandoned everything and left me to finish my job alone. However, to satisfy them, I told them that as soon as we had the mill finished we would devote a week or two to gold hunting and see what we could make out of it.

The exact date of Marshall's discovery has been a subject of much controversy. Depending upon his memory Marshall himself published a letter in 1856, stating he had found gold "about the 19th" of January; still later he gave that day as the precise date; but the weight of evidence indicates that the discovery took place five days later. An entry for Monday, January 24, 1848, in the diary of Henry W. Bigler, one of the laborers at the mill, establishes beyond much doubt the exact date. Bigler's entry is as follows: "This day some kind of mettle was found in the tailrace that looks like goald, first discovered by James Martial, the Boss of the Mill." The diary of Azariah Smith, another workman, strongly corroborates the Bigler entry.

It was Bigler who, shortly afterward, first found gold in the vicinity, outside of the tailrace. Being charged with the duty of providing fresh venison, his keen eye detected particles of the shining metal along the river banks while out on his hunting expeditions.

Tidings Spread Abroad

Four days after the memorable discovery Marshall revealed his secret to Sutter, who, at first incredulous, was soon convinced that the flakes and grains, some of them about the size of a grain of wheat, were indeed gold. Then began the series of misfortunes of John Augustus Sutter.

His diary shows that in early March the first party of Mormons in his employ "left for washing and digging Gold and very soon all followed, and left me only the sick and the lame behind." He complains that everybody left him, which played havoc in every branch of his business. Even the Indians were "impatient to run to the mines," and he was compelled to leave the most of his wheat crop in the fields. Moreover he had expended

[redacted] Monday 24th this day
some kind of mettle was

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~~discover~~ was found in the tail race that
that looks like goald first discov
ered by James Martial, the Boss of the Mill.
Sunday 30th clean & has been
all the last week our metal
has been tride and prooves to
be Goald it is thought to be
rich we have pict up more than
a hundred dollars woth last
week

February. 1848
Sun 6th the wether has been clean

From Pictorial History of California

PAGE FROM BIGLER'S DIARY

large amounts on his saw-mill as well as on his flour-mill at Brighton. One misfortune crowded upon the heels of another.

It had been the wish of Sutter and of Marshall that the big find should be kept a profound secret; and for a few weeks not many outside the immediate circle possessed any accurate knowledge of the great event. But the secret was too great and too good to be kept long. Just how the news began to spread may never surely be known. Not long after the discovery Sam Brannan, a prominent San Francisco merchant, rode down from Sutter's Fort with dust and nuggets from the new gold fields. As he strode down the principal street he shouted, "Gold! Gold! Gold from the American River!" swinging his hat with one hand and in the other displaying a bottle well stored with gold dust. This brought an immediate crowd: the effect of it and of similar episodes proved electrical in bringing about the memorable stampede for the diggings. "In consequence of such representations," continues the narrative in the *Annals of San Francisco,* "the inhabitants began gradually, in bands and singly, to desert their previous occupations, and betake themselves to the American River and other auriferous parts of the great Sacramento Valley. Labor, from the deficiency of hands, rose rapidly in value, and soon all business and work, except the most urgent, was forced to be stopped. Seamen deserted from their ships in the bay, and soldiers from the barracks. All over the country the excitement was the same. Neither threats, punishments, nor money could keep the men to their most solemn engagements. Gold was the irresistible magnet that drew human souls to the place where it lay, rudely snapping asunder the feebler ties of affection and duty."

The *Californian* was compelled to suspend publication May 29, 1848, announcing on a mere slip that "The

majority of our subscribers and many of our advertisers have closed their doors and places of business and left town, . . . The whole country, from San Francisco to Los Angeles and from the seashore to the base of the Sierra Nevada, resounds with the sordid cry of *'gold!* GOLD!! GOLD!!!' while the field is left half planted, the house half built, and everything neglected but the manufacture of shovels and pickaxes, . . ." "The gold mines," wrote Walter Colton, "have upset all social and domestic arrangements in Monterey; the master has become his own servant, and the servant his own lord. The millionaire is obliged to groom his own horse, and roll his wheelbarrow."

The Irresistible Magnet

The news had leaped across the continent, and even the sea seemed no barrier,—within a few months it had found its way to every quarter of the globe. And as it traveled it grew. The propensity for exaggeration is aptly illustrated by a later writer in these words: "A grain of gold taken from the mine became a pennyweight at Panamá, an ounce in New York and Boston, and a pound nugget at London."

Marshall's discovery had occurred almost at the moment of the signing of the Treaty of Guadalupe Hidalgo —and therefore a few months before the actual proclamation of peace between the United States and Mexico. By the month of May gold had been found along the river for distances of at least thirty miles in both directions from Sutter's Mill. By the first of June, 2,000 men were digging for gold, and within another month that number was doubled. Before the end of the year the yield of gold had reached an amount estimated at $10,000,000. The eager gold hunters of 1848, however, were but a prologue,—they constituted but a portion of

the vanguard of the great Argonautic hosts who swept down upon California over all seas and in that memorable overland trek during the ever-memorable year of 1849.

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Chapter XXVI

MEN AND DAYS OF '49

OF all the memory pictures from the great album of California's history none will outlive the Days of '49. Not even the myth of the golden fleece placed by Ætes in the consecrated grove under the care of a sleepless dragon will survive in story the epic of those modern Argonauts whose deeds, while adding their unique contribution to universal civilization, in a peculiar sense belong to California alone.

Modern Argonauts

At the beginning of that year there were, exclusive of Indians, perhaps 26,000 persons in California, about equally divided between Hispanic-Californians on the one hand and Americans and other foreigners on the other. Before mid-summer the number easily had reached 50,000; and by the end of the year there were probably 115,000 white persons within the borders of the incipient state, notwithstanding the inaccurate census report of 92,597. Of these possibly close to four-fifths of the whole were American immigrants of the twelve-months period. Of the entire working population probably three-fourths were directly engaged in some branch of the mining industry. Among the 20,000 foreign immigrants were to be found representatives from every quarter of the globe: considerable numbers were from Mexico, Great Britain, Germany, France, and Spain; lesser numbers from Chile, Peru, and the Sandwich Islands;—few peoples of earth were wholly unrepresented.

San Francisco, a village of 812 souls in March, 1848,

contained upwards of 5,000 by early summer of 1849, and ten times as many by the mid-'fifties. It became the chief vortex of a heterogeneous population, flowing in, a ceaseless tide, from all quarters. Likewise the Embarcadero on the Sacramento River, west of Sutter's Fort, took on intense activity, as Sacramento became general headquarters of the throngs of adventurers from San Francisco headed for the diggings as well as the objective of the great majority of overland immigrants.

Many were the routes and numerous the means of conveyance that led to the new land of El Dorado; all were beset with serious difficulties. Not a few immigrants proceeded southward from Oregon; many others made their way northward from Mexico; numbers came by way of the Sandwich Islands. But the overwhelming majority of the Americans who reached California during those hectic days selected one or another of three main routes from "the States,"—"Around the Horn," "By way of the Isthmus," and "Across the Plains."

Round the Horn

The route around Cape Horn was generally preferred by the sturdy young New Englanders and men from the Middle States along the Atlantic, for whom the sea had no terror. The trip to San Francisco required six and sometimes nine months: it was naturally fraught with great peril—no steamers were making the run for months after the gold discovery, and the sailing vessels were of light tonnage and none too seaworthy. The passengers brought together, "on a shot-gun theory," small quantities of all manner of articles, often constituting on board the ship "a veritable floating department store." Though often complaining of the food and the fare, they usually kept their humor and made the most of a novel experience. With banjo and fiddle, song and dance, and

varied games, there was little lack of amusement on shipboard; while on land—as at Rio or Callao—there were bull-fights, cock-fights, donkey rides, and the far-famed *fandango*. Favorite anniversaries were celebrated on board in lively, patriotic manner;—as on the *Rising Sun* the Fourth of July was celebrated while rounding Cape Horn by the blowing of horns, martial music, reading the Declaration of Independence, speech making, and—not least—"a dinner of roast geese, plum pudding and mince pie." Thanksgiving dinner was an event not to be forgotten: a typical menu for the highly favored included "roast pork with apple sauce, beef pie, plum duff, oranges, lemons, figs and nuts." The actual passage around the Horn was always disagreeable and hazardous. It might be accomplished by one of the clipper ships in a few days, or it might require weeks, or even months. Finally, vessels were not to be regarded as safe, on account of the strong currents and frequent dense fogs, until actually anchored in the harbor. It is recorded that at least five clipper ships were lost after having successfully made the voyage to points within sight of San Francisco.

By Way of the Isthmus

Emigrants from the South Atlantic and Gulf States generally selected the Panamá route,—by way of the Isthmus—to California, often with variations; but this route was likewise chosen not infrequently by New Englanders. Suitable equipment included clothing and personal effects, amounting to perhaps seventy-five pounds, enclosed in a watertight rubber bag, and such useful articles as a carbine, camp outfit, and small chest of medicines. Under favorable conditions this was the shortest and quickest route. The distance from New York to Chagres was 2,500 miles; from Chagres to Panamá, 60

miles; from Panamá to San Francisco, 3,500 miles. But conditions were almost never wholly favorable. The trip was always of dubious character. Passengers were crowded into vessels in unseemly and unsafe manner. Most serious was the dangerous delay at Panamá, usually lasting several weeks, sometimes stretching into months. A partial explanation is found in the fact that with the early rush there were many more available vessels along the Atlantic than on the Pacific coast.

Malarial fever was very prevalent, as was inevitable under the insanitary conditions; many were the victims of cholera, dysentery and yellow fever. Hundreds returned to their home in despair. Having reached Panamá, however, the typical American gold hunter was not easily swerved from his purpose. And in spite of all drawbacks, the delays on the Isthmus were fascinating to the travelers whose health was good and credit ample.

Over the sixty miles between Chagres and Panamá the element of romance abounded. The experience proved to be among the most novel and interesting chapters in the entire career of many a pioneer. For the twelve-mile journey to Gatun the long canoes were poled and paddled by native boatmen. "As a whole," wrote Albert D. Richardson, "the isthmus is a vast jungle of trees, cane brakes, and parasites, gay with gorgeous flowers and birds of brilliant plumage, rich with the cocoanut, and sometimes dazzling with the brightness of the orange." There were the "rarest combinations of color and form" —"birds of white, black and yellow; flowers of white, orange, crimson and scarlet, blazing out from the convolutions and tangles of greenness. All is profusion, luxury, gorgeousness."

A rough ride of six long miles on mule-back brought the traveler to Cruces, the usual end of the river journey. But when Panamá was reached, the worst troubles were

likely to begin. Having survived the irksome delay, there remained the long and hazardous voyage to San Francisco. Devoid of all real comfort, the dubious vessels were badly overcrowded, the food and water vile, sleeping accommodations wretched. Tickets from Panamá to San Francisco were nominally $350 for first cabin, $300 for second, though prices varied considerably.

Following the organization, in April, 1848, of the Pacific Mail Steamship Company, steam navigation began gradually first to supplement the sailing vessel, then to supersede it; but for some time the main reliance for passenger service continued to be in the handsome clipper ships of that day.

Numbers of Argonauts, though few in comparison to those traveling by way of Panamá, selected the route farther north, the difficult journey across the Isthmus of Nicaragua; while still others chose a route across Mexico, generally under the influence of army officers. From New Orleans to Vera Cruz the sailing time was eighteen days; the horseback trip to Mexico City, 280 miles, consumed nine days; Mexico to Mazatlan, 900 miles, twenty days; sailing time to San Francisco, thirty-five days—total from New York, four months. But even four months proved theoretical: an astute remark expresses the feeling of many a traveler growing out of actual experience: "All routes were the quickest when the company started, but apt to be the slowest when they arrived."

Across the Plains

It remains to speak of that stream of immigrants that poured into the land of gold overland through the western expanses of the United States. The covered wagon —"prairie schooner"—even more truly than the clipper ship or pioneer steamer, symbolizes the great westward

movement of the Anglo-Saxon race, the winning of continental boundaries for the United States.

Of those who made the trip overland the great majority were hardy western pioneers. They prudently combined into larger parties, or trains, for mutual protection and help. Fortunately the principal routes were well known before the gold rush, and valuable precedents served the creeping caravans well.

The Santa Fé trail ran from Westport to Santa Fé, 775 miles. This had become in fact a network of trails so worked out as to afford dependable water supplies at regular intervals. With the introduction of the prairie schooner, seventeen to eighteen miles per day were covered, the caravan averaging twenty-six wagons, each drawn by five yoke of oxen, or a span of ten mules. Two routes beyond Santa Fé, taken by some of the forty-niners, were over a southern and a northern trail. The southern route crossed the Sierra de los Membros Mountains to the headwaters of the Gila, following that river to the Colorado, then piercing the desert into southern California: the northern route was by the South Pass of the Rocky Mountains. Of all roads the favorite was that *via* South Pass, as indicated by the fact that approximately as many gold hunters entered California in 1849 by this route as by all others combined.

The start upon the great trek from Independence, Missouri, the eastern terminus, could not be made with impunity before May 1; nevertheless a fortnight previous some 3,000 eager men were encamped near the town, "waiting for the grass to grow." The wagon, intended to accommodate six persons, was heavy and stoutly built, covered with drilling stretched on hickory bows, and was drawn by ten or twelve oxen, or mules. Under favorable conditions the 2,000 miles to the gold fields might be covered in 100 days,—but conditions were sel-

dom favorable! Rivers were to be forded, food supply to be conserved and replenished, ravines to be crossed, the train to be guarded against possible attack, and suitable camping places located. Not infrequently the wagons had to be unloaded and reloaded several times in a single day. When making camp it was customary to drive the wagons together into a circle, thus providing a good corral, as well as easy means of defense. Many of the larger companies were compelled to subdivide;—more grass than could be found in any one place was required for the large amount of live stock.

Many of the parties of forty-niners were composed wholly of men—mostly young men of spirit and adventure. But not a few families were to be found in the caravans, and within a few years the family unit strongly predominated. "Covered-wagon babies" were born en route, young people were given in marriage, and there was many a mournful funeral. Each party had some form of simple organization, and there was always ample opportunity for the exercise of patience. In virtually every instance experiments in applied socialism undertaken by Argonauts of '49 resulted in speedy and complete failure. To be sure, it was most common for the miner to have his own partner, and the glory of the mining camp was its splendid spirit of democracy; but the strongly individualistic type of the forty-niners and the unique conditions under which he worked rendered anything like collective ownership and management entirely out of the question.

At the Diggings

On landing at San Francisco, which was bustling with evidences of new "busyness," the sea-faring Argonauts, glad at last to be in California—eager to press on to the diggings—made all haste to proceed to Sacramento,

From Pictorial History of California

CROSSING THE PLAINS IN '49

there to equip themselves as actual miners. Meanwhile the caravans of prairie schooners were winding their weary way down the slopes of the Sierra Nevada toward the same objective,—everybody knew about Sutter's Fort and the hospitable welcome that had there awaited the vanguard of the American hosts.

Every day brought fresh reports of richer discoveries at some new point, and the diggers were kept "in a state of feverish excitement." During the early period of exploitation the gold hunters confined their activities largely to prospecting and to working claims at or near the surface, along the numerous river beds and ancient river courses. These operations had to be suspended during the rainy season.

A "claim" was a parcel of mining land either owned or possessed by a miner or a company. In some instances the "pay dirt" lay practically on the surface; in others, at varying depths: there was but little subterranean work or sinking of shafts in the earlier phases of California mining. The "dry diggings," found in flats and gullies where there was no water supply, were generally worked first. "Wet diggings" multiplied rapidly, however, in river beds or along sand bars. Any place where mineral deposits might be found was called a "placer," the deeper placers being developed after the first rush was over. In California probably more "pay dirt" was found near the surface than in any other gold country in the world. "Bench diggings" were located on narrow tables on the hill-side, indicating locations of ancient streams. There were innumerable "bars," usually opposite the angles of the "bends" of the streams, these being above the surface at low water.

Water was the great *sine qua non* of the placer miner. For years four-fifths of the gold produced was obtained by virtue of the presence of this factor. Along with the

open ditch must be mentioned the "flume," usually constructed of heavy boards, and costing about twice as much as the ditch. Later the iron pipe came more and more into use.

The individual miner of the early days had constant need for pan, shovel, and crowbar. Of all implements for washing auriferous dirt the pan was the simplest. It was made of tin or sheet iron, with flat bottom about a foot in diameter and sides six inches high—rising at an angle of forty-five degrees. The alert prospector achieved marvelous dexterity in "panning out." The washing rocker, or "cradle," was one of the most widely known contrivances of the time,—likewise the most expensive instrument used. The "board-sluice" was a sort of long wooden trough, much used where there was a plentiful supply of water. Mention must also be made of the "long tom," a sort of elongated rocker; the "gold borer," used as one would use an auger; and the "water wheel," with shaft, arms, and cross-boards resembling the paddlewheels of a steamboat. "Coyoting" was a unique form of mining by means of small separate holes for individual diggers;—a curious spectacle was presented when, the miners being diligently at work quite out of sight, some unusual noise brought heads popping out of the ground all over the hillside in decidedly comical fashion.

The Gold-bearing Lands

In an incredibly short time it became known that almost the entire western slope of the Sierra Nevada was gold-bearing; the eager wanderers had peered into every nook and cranny of the mountains, for scores of miles, prospecting for the most favorable locations. Unrest has been called the "characteristic and besetting fault of the early miner,"—he was forever looking for something better just a little farther on!

In a general way the auriferous area came to be divided into the Northern and the Southern mines, though no exact boundary line was universally recognized. The water-shed separating the Cosumnes and Mokelumne rivers was usually regarded as the line of demarcation. The myriads of camps between the Mokelumne and Feather rivers belonged to the Northern Mines; this region included many rivers, such as the American, with its forks, the Cosumnes, the Bear, the Yuba, and the Feather rivers, with numerous smaller streams. Sacramento was the chief entrepôt for provisions and all needed commodities. The Southern Mines, with Stockton as principal headquarters, included the camps lying to the south of the North Fork of the Mokelumne, the principal rivers being the Calaveras, the Stanislaus, the Tuolumne, the Merced, and the mountainous portion of the San Joaquín, with many forks and tributaries.

The remarkable metalliferous vein known as the Mother Lode ran north-west and south-east, along an imaginary straight line between Mariposa and Amador, a distance of approximately seventy miles. This lode, fabulous for its richness as the principal gold quartz belt, is characterized by its great length, great thickness, uniform character, and close proximity to large companion veins.

It was a picturesque list of place names that came to dot the topography of the mining regions. There were Git-up-and-git and Lazy Man's Cañon, Wildcat Bar and Skunk Gulch, Gospel Swamp and Whisky Bar, Shinbone Peak and Humpback Slide, Bogus Thunder and Hell's Delight. Placerville took the name Hangtown because of the hanging there by lynch law. Mining towns were built with astonishing alacrity: a little later many of them vanished almost as suddenly.

The gold-bearing lands were the property of the

United States, unsurveyed and legally open neither to occupation nor to settlement. Yet thither thronged the army of invading diggers, penetrating to the hidden spots of the Sierra Nevada, carrying with them, in the words of Justice Stephen J. Field, "the love of order and system of fair dealing which are the prominent characteristics of our people." The first appropriator was conceded to have the best right to the claim taken up, and was usually regarded as the original owner. The miners of the flush days in California were young men of spirit and aggression: despite the lurid tales of sensation-mongers, the great body of those who settled in the towns so quickly established were industrious, order-loving Americans, anxious for some sort of stable government, while intent on extracting a fortune from the earth. Governor Bennet Riley reported to the Secretary of War in August, 1849, that he was "agreeably surprised to learn that everything was quite the reverse from what had been represented, and that order and regularity were preserved throughout the entire extent of the mineral districts."

Traits of the Early Miners

Nowhere were the principles of genuine hospitality more faithfully observed than in the rude tents of the gold diggers. Good-fellowship characterized the cosmopolitan society of the mining camp—a robust type of real democracy was everywhere in evidence.

Sunday was observed as a day of rest. After doing the week's washing and baking, and mending the rough clothing, the miners indulged their propensity for amusement, which frequently brought uneasiness, since relatively few had the hardihood to abstain from strong drink. The afternoon and evening were enlivened by various amusements, such as horse-racing and physical

feats. On the other hand, the prosperous diggers were extraordinarily generous to the faithful preacher. Reverend Walter Colton referred to five men who had never contributed to the support of a clergyman in "the States," who subscribed five hundred dollars each, per annum, "merely to encourage, as they termed it, 'a good sort of thing in the community.' "

The life of the early gold miner was a life of intense toil. After the first hectic days of prospecting and exploitation, the hardships at the mines—cold, heat, exposure, insufficient diet, lack of home comforts—were such that little hope of success was held out to any but the strong, healthy and industrious.

Few were the upright American women in the early California mining camps; and to that "mass of unkempt men, clad in flannel shirts and heavy boots," there was no greater need than the presence of noble, high-minded women. Many a lonely, victimized miner was robbed in a den of infamy of his last ounce of dust, which he had been weeks in accumulating and which should have been transmitted to his distant eastern home. After the first months of the gold rush of '49, however, not a few of the adventurers were happily accompanied by their wives; and before California's actual admission into the Union home life among the Americans was by no means so rare,—though for years the wide disparity between the sexes continued.

The early miners of the Golden State were indeed a motley, albeit a virile population. Viewed as a composite whole, their character seemed full of strange contradictions, their life weird and paradoxical. In them extremes of all sorts literally met and blended. Among them were graduates of the best eastern colleges, young men of sterling quality who delighted in Shakespeare and Virgil and Homer and who preferred Plutarch's Lives to

the immoderate *fandango*. The lucky digger succeeded in making "quite a pile"; many a hapless victim had the experience of being "flat broke"; all talked longingly about going back "to the States." But out of the hordes that came the lure of the country itself caught some,—such remained to become builders of a great commonwealth.

It is difficult to realize the utter silence that for decades has prevailed in much of that historic ground where, as it was in '49, there was such animation, where the yellow lure brought throngs of eager, roughly-dressed, hustling men. In that historic ground, every foot of earth was turned over and over again, and the restless feet of the keen-eyed miner found every nook and cranny. Great has been the transformation in great stretches of California's foothill country:

"Where once the greed of Midas ruled supreme, Ceres now reigns over an empire far more fertile than the fabled valley of the Nile."

Death Valley in '49

One of the most dramatic and tragic touches of the labyrinthine picture of the Days of Forty-nine is the experience of pioneers whose fate led them into Death Valley. They were comparatively few who actually came into this "seventy-five mile strip of perdition"; nevertheless a faithful picture of those kaleidoscopic, culminating days must not omit the affecting story of Death Valley nor the pitiful tragedy of the Donner Party. Without mention of these streams of human life the annals of California would be sadly incomplete,—history itself would be falsified.

Death Valley, lying about one hundred and ten feet below sea level, stretches along the south-eastern portion of Inyo County, far to the east of the Sierra Ne-

vada. Its atmosphere is almost totally bereft of moisture; during many months of each year it is visited with relentless, burning heat and constant winds blowing the stifling sands; while the blinding glare of the sun quickly parches the unprotected skin, tending to induce fever and even delirium.

It is perhaps not strange that among the thousands seized with the California fever during the winter of 1848-49 should be William Lewis Manly, a native of Vermont: but his story during succeeding months, as related in *Death Valley in '49,* is passing strange.

Having unfortunately missed connections with Asabel Bennett, and being promised his board for driving one of the teams of Charles Dallas, young Manly set out almost bare-handed. Passing Fort Laramie, the company fell in with some United States troops on their way to Oregon *via* Fort Hall. So serious were the delays that the leaders declared it to be too late to get into California on account of the deep snows expected by November, if not earlier. The prospect of wintering among the Mormons at Salt Lake was both distasteful and depressing. Therefore, being of bold and venturesome mind, Manly and six companions, convinced that a certain river came out on the Pacific coast, announced to Dallas their purpose to proceed in a little ferry boat down the river with the hope of reaching their goal.

The party setting forth in this perilous enterprise down the mighty Colorado consisted of Manly, W. S. McMahon, Charles and Joseph Hazelrig, Richard Field, Alfred Walton, and John Rogers. "We untied the ropes," wrote Manly, "gave the boat a push and commenced to move down the river with ease and comfort, feeling much happier than we would had we been going toward Salt Lake with the prospect of wintering there." But the stream became a rapid, roaring river, with dan-

gerous rocks and treacherous shoals. Progress became rapidly more difficult; and finally the voyage came to a sudden halt, when the clumsy boat was jammed against a huge rock and left standing edgewise in the water, pinned so tight that it could not be budged.

It was next decided to construct canoes and proceed. But the obstructions became worse and worse as they battled forward in the treacherous river. Coming at length upon some Indian lodges, they made the acquaintance of Chief Walker, who convinced Manly, after much parleying, of the utter futility of continuing further in the canoes. Prudence demanded an attempt to make his way back to Salt Lake: two of the members disagreeing, however, there came another parting.

After many days of weary traveling, when within sixty miles of Salt Lake, Manly's little band was overjoyed to come upon Bennett's party, which Manly had just missed at the Missouri River, and which had his entire outfit. Arrangements were quickly made to join forces and proceed to California; but it took days of camp-fire argument to decide upon the southern route, to Los Angeles. They had never heard of a wagon getting through by that route, but the season was so far advanced that there was little hope of being able to cross the Sierra Nevada before the coming of the snow.

One part of this train, which in all numbered 107 wagons, reached the decision to turn directly west, in the hope of entering San Joaquín Valley. Bennett and Manly, and a young Tennessean named John Rogers, concluded to follow Captain Smith of this division. One day a company calling themselves the "Jayhawkers" passed the Bennett party, intent on reaching California in the least possible time. How sadly they miscalculated! Nevertheless they did leave an undying record of horrors experienced and human devotion displayed that con-

stitute a precious chapter in California's historical legacy. Reverend J. W. Brier, his wife and three sons were prominent among the "Jayhawkers,"—Mrs. Brier being the only woman of the party. Among women of the Golden State she deserves a place of honor and distinction for her stout heart, devoted spirit, and never-failing resourcefulness.

It became apparent that both the Jayhawkers and the Bennett party had lost their bearings. When Manly, who had been scanning the country from the summits of buttes, concluded that his party was pursuing the wrong course, the leaders decided, with serious misgivings, that instead of patiently retracing their steps they should proceed in a westerly direction, where, in the distance Manly had discerned lofty mountains, their summits white with snow. As the situation grew rapidly worse, one day Manly for the first time looked down into Death Valley, so named in memory of the emigrants who perished there. The dreary waste of desert sand stretched on and on, while beyond there rose the forbidding range of the Panamint Mountains. He reported to his comrades that "it would at least be another month before their journey would be ended."

Provisions were exhausted; children cried for water when none was to be had; one after another the oxen were killed for food;—even stout-hearted young Manly confessed to sentiments of dark despair. He believed that he could escape at any time, but resolved that "all must be brought through or perish." Conditions were becoming so utterly desperate that it was certain they must move somewhere without delay if life itself were to be sustained. Finally Bennett proposed that two of the youngest and strongest men be selected to go ahead on foot while the main party awaited their return at a good spring they had just left. So it was agreed.

For the perilous enterprise Manly and Rogers were selected. That trip of two young heroes unselfishly seeking relief for their helpless companions reflects the noblest and best in the life of the western pioneer. Without suspecting it, they were soon half-way across California. Urged on by signs of life and plenty, they finally reached San Fernando, where they were able quickly to obtain supplies. They must make all haste to the rescue of the forlorn camp in the Desert of Death. But the difficulties of the return trip proved frightful and the dangers to themselves grave. The allotted ten days had already stretched to a fortnight: yet the young men spurned the suggestion that they might abandon the attempt to succor their companions, and so save themselves, for—be it said to their honor—they never for a moment forgot the sanctity of their obligation.

Twenty-six days after the separation from their friends they came in sight of the dreary camp. Finding Captain Culverwell dead, and filled with the gloomiest forebodings, they approached within one hundred yards of the wagons without seeing a sign of life. A shot from Manly's rifle brought a man from under a wagon. "Then," continues the personal narrative, he threw up his arms high over his head and shouted—"The boys have come! The boys have come!" . . . Bennett and Arcane caught us in their arms and embraced us with all their strength, and Mrs. Bennett when she came fell down on her knees and clung to me like a maniac, in the great emotion that came to her, and not a word was spoken." By this act of unselfish devotion Manly and Rogers won the everlasting gratitude of the remnant of Bennett's party.

It was about the first of February, 1850, when the enfeebled little band had made ready to say farewell to Death Valley. All wagons were left behind, with everything in the way of supplies that could be spared; the

meager belongings were packed on the few remaining oxen and the sure-footed little mule. In the midst of appalling difficulties they were buoyed up by steadfast hope,—every day brought them nearer to the promised land. Creeping along the eastern slopes of the Sierra Nevada, they passed through Red Rock Cañon, crossed the Mojave River and by way of Soledad Cañon wound their course to San Fernando.

The survivors of the little party that had left the Salt Lake Trail on November 4, 1849, finally arrived in the land of plenty, in southern California, more than four months later, an entire year having been consumed on the way from Wisconsin. Still they found that they were more than five hundred miles from the mines, with no money and only the worn-out clothing on their backs!

The story of the Jayhawkers, like that of William Lewis Manly, is regarded as a classic among the tragic episodes of early California history. The Jayhawkers' Union, composed of members who had returned to their eastern homes, held a reunion each year, beginning in 1872, usually at Galesburg, Illinois, where the company had been made up in the spring of 1849. These reunions were always held on February 4, "the date of deliverance." In 1899 it was reported that not one of the eight survivors was able to attend: in 1903 the fifty-third anniversary was held at the home of Mrs. Juliette W. Brier in Lodi, California, the survivors having dwindled to three members. And now even the organization has become a memory.

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Chapter XXVII

POLITICAL AND LEGAL STATUS

WHATEVER the real motives of Frémont might have been in connection with the Bear Flag Revolution, it is certain that the pioneers of the party had little intention of erecting a permanent republic on the Pacific Coast. On the other hand, they were ardent Americans;—the anomaly known as the California Republic was, as an independent government, extremely short-lived and relatively insignificant. With the raising of the Stars and Stripes the Bear Men gladly abandoned all thought of an independent revolution—the Bear Flag itself was quickly superseded by our national ensign.

Commodore Robert F. Stockton, who had arrived on July 15, succeeded Sloat as commander-in-chief of all forces and operations on land. Sloat appeared to lack sympathy with the American revolutionists, and he did not favor utilizing Frémont's forces; but Stockton, without further governmental orders, immediately adopted an aggressive policy, deciding to extend the American occupation to the south territory. Accordingly the California Battalion of Mounted Riflemen under Frémont was instrumental in effecting the actual conquest.

Under Martial Law

Thus, while war was in progress between the United States and Mexico, the province of California was taken military possession of by United States forces. On assuming command, Stockton had issued an address to the people which was in tone an offensive declaration of martial law. It neither embodied the views of Sloat nor

did it conform to the policy of the Washington government. Apparently Stockton did not care to make California a Territory of the United States; neither did he appear to desire any of its land for his government: yet it was the fixed purpose of the administration to retain this territory as a permanent part of the national domain.

California was now conquered territory, subject to temporary military control. According to a principle of international law, conquered territory regularly retains its prior municipal institutions, the conqueror being authorized to ordain needful temporary laws and regulations. Accordingly the laws of Mexico previously obtaining in California should have been continued by the military rules. Indeed, this principle was clearly announced by Commodore Stockton August 17, 1846, in a proclamation which put in force at the same time two kinds of law, the one civil, the other military. Some believed these to be irreconcilable; but the temporary existence of military rule is plainly not inconsistent with the perpetuation of the civil institutions and regular administration of justice of the conquered province.

As plain matter of fact, however, Mexican law never was, and from the nature of the situation could not be, put in full operation following the American conquest, and the military commander had not in reality established any satisfactory civil government in its stead. The American inhabitants began to complain of the inadequacy of the Mexican laws theoretically in force, and of the actual absence of any rational system of law. A contemporaneous editor reflected the feeling when he admitted unwillingness "to express an opinion in relation to the laws in force in this Territory."

The *alcalde* was virtually the sole judicial officer of California at this period,—his functions had been perpetuated by tradition, but his jurisdiction had come to be ex-

tremely vague and variable. The much-talked-of Mexican system of law, theoretically continued after the conquest, was in reality narrowed down to the activities of a number of local *alcaldes,* the most influential one being resident at Monterey, but each having an indeterminate status. Walter Colton, who enjoyed the distinction of being American *alcalde* at Monterey, refers to that official as "the guardian of the public peace," "charged with the maintenance of law and order, whenever and wherever threatened or violated."

Naturally the native Californians in office as *alcaldes* were rapidly superseded by Americans, as appointees of the military governor. While the attempt to perpetuate this relic of Mexican law has its picturesque side, giving rise to many a ludicrous scene, there can be no doubt that, taken as a whole, the *alcalde* played an important and a successful part in actual administration and development of the California judiciary.

Inevitably the growth of American law was rapid,—the Anglo-Saxons brought their own notions of common law principles and forms. A process of amalgamation was begun forthwith; and henceforth American law of a sort quickly supplanted the obsolescent customs and procedure. Thus, while to the Mexican system nothing precisely like an American trial by jury was known, the jury of twelve men was soon in common use, fairly well defined and understood, and sanctioned by the governor.

Sloat, Stockton, Frémont, Kearny

Stockton's purpose to organize a civil government was thwarted by a serious revolt, to put down which involved considerable time and fighting and some bloodshed. Before effecting reorganization, General Kearny arrived overland, and following the Battle of San Pasqual there arose a controversy between Stockton and Kearny as to

their relative positions. Who possessed the rightful authority to govern the conquered territory? Even assuming that Kearny originally had the right of command, it is easy to understand how under the peculiar circumstances surrounding San Pasqual Stockton might come to regard himself as possessing permanent precedence: so, when Kearny stoutly asserted his authority, Stockton firmly refused to recognize it.

As the controversy deepened, Kearny decided to await further instructions from Washington, while, as matter of fact, Stockton was quite generally recognized by the people as military commander and territorial governor until the date of his departure. Having immediately following the Cahuenga Capitulations tendered to Frémont his commission as governor, Frémont, for a period of some fifty days, though acting in direct disobedience to Kearny's orders, was quite generally recognized as governor. During these days, however, Kearny's claims were not relinquished.

Instructions came in February positively directing that the senior officer of the land forces (Kearny) should be civil governor. Then followed the Frémont-Kearny controversy, the upshot of which was the court-martial of Frémont, his conviction, and his subsequent pardon. Meanwhile General Kearny, jointly with Commodore William B. Shubrick, Stockton's successor as commander of the naval forces, formally assumed the governorship, designating Monterey as the capital. He declared it to be the intention of the United States "to provide for California, with the least possible delay, a free government similar to those in her other territories," indicating that for the time being the laws then in existence not in conflict with the United States Constitution were to be continued in force.

Kearny's proclamation encouraged the Americans to look for a civil government, which, however, was not yet

to be forthcoming: local affairs continued in an extremely uncertain state. Honest seekers after laws were unable to find them; the desideratum of exact statutes was unattainable to the common-sense pioneers. A contemporaneous writer complained about the continuance of Mexican laws in force "when it is impossible to produce them in any court in the country." Ominous murmurings were heard, and the alleged right of self-government found frequent utterance.

Colonel Richard B. Mason

On May 31, 1847, Kearny departed from California, being succeeded in military and civil command by Col. Richard B. Mason. Pending the establishment of a civil government, the territory was clearly under military rule. Mason became aware of the clamor for better organization, and he recognized the needs of the settlers as well as the disaffection of the Californians; but under the strictures of his own authority he assumed a conservative attitude. Notwithstanding the fact that he earnestly studied the situation, it became increasingly evident that, while the war continued, no satisfactory organization on the old Mexican basis could be attained; and action in Congress was no longer reasonably to be expected.

Meanwhile Mason set about formulating the principal features of Mexican law applicable to the country at the time of the conquest. A few days before receiving the tidings of peace he had ready for publication a code of laws for California; but this code was not actually distributed, and no attempt was made to enforce the laws thus codified. During Mason's encumbency, therefore, until the receipt of tidings of peace, August 6, 1848, the territory was under strict military rule. The American settlers became exceedingly restive.

As the months passed and immigration increased, they

conceived their grievances greatly aggravated;—the situation was fast becoming critical. Radical settlers denounced the early officers of the conquest and assailed the military government. It was not strange, therefore, under the disturbed and half-chaotic conditions, that there should be incitement toward a popular government movement. Meanwhile the gold discovery was not calculated to mitigate the gravity of the situation. Some sort of law was rendered absolutely imperative by the influx of gold hunters. Great impetus was given to the movement toward some kind of popular government, especially state organization.

The treaty of Guadalupe Hidalgo, concluded February 2 and ratified May 20, 1848, resulted in the cession of California to the United States, of which it became as completely a part as any other part of the Union. While obviously there could be no change in its government until after the receipt of tidings of peace, technically speaking the military rule came to an end with ratification. California now entered upon its most critical period, characterized as the "No-Government Period."

The "No-Government Period"

Mason took an extremely hopeful view of the situation, being fully convinced that Congress would soon confer upon the people their constitutional rights as citizens of the United States and that a regular territorial government would soon be an accomplished fact. Unfortunately, civil government was not so near at hand; and California had become the "focus of the world's attention," and, in the words of Josiah Royce, was "to be morally and socially tried as no other American community ever has been tried." Mason continued as *de facto* head of the *quasi*-civil government under military rule, in daily expectation of instructions and a Congressional

scheme for territorial organization. Keenly awake to the existing conditions and realizing the necessity of maintaining at least the semblance of authority, he allowed technicalities to give way to practical common sense, judiciously applied.

Congress adjourned August 14, leaving California in an anomalous status. This was recognized by the President, who justified the existence of a *de facto* government by the "great law of necessity." In November, before it was known in California that Congress had adjourned without providing a government, Commodore Jones arrived and conferred with Mason. Both were impressed with the necessity for immediate action, agreeing that, in default of the arrival of the long-expected territorial government, the people should be encouraged to appoint delegates to "frame laws and make other necessary arrangements for a provisional government of California." The arrival of the *St. Mary's* shortly thereafter with news of Congressional failure to provide, settled the question of territorial government during 1848.

It became daily more difficult to comply with Buchanan's exhortation to the people "to live peaceably and quietly under the existing government." The people had now begun to act upon their convictions looking to organization of some kind of suitable government on their own initiative with the least possible delay. The first preparatory movement of the kind was an enthusiastic meeting at San José, December 11. Provisional government meetings followed in rapid succession at San Francisco and other leading centers. The sentiment favoring popular provisional government seems to have been practically unanimous among the better classes. Stirring resolutions were adopted by acclamation recommending a convention for the nomination of a candidate for governor and for other appropriate business. A mass

meeting was held in San Francisco February 12, 1849, at which was established a temporary government for that district, in connection with which came into existence the Legislative Assembly of San Francisco, comprising among its fifteen members the ablest local representatives of the Settlers' Theory of the legal status of California. The loyalty of the sentiments motivating these men cannot be impeached.

About that time General Persifor F. Smith arrived and superseded Mason as military commander of the division of the Pacific. Smith, while not directly interfering with the activities of the Assembly, adhered to the opinion of the national executive that the government previously existing in California continued as a *de facto* government, and that no other power than Congress could legally establish a territorial government.

General Bennet Riley

General Bennet Riley arrived April 12, and the following day assumed the duties of acting-governor. His temperament and moral qualities fitted him preëminently for the difficult position. He was of mature years, was amicably disposed, but knew how to obey orders. After careful consideration and consultation with local leaders, he decided to delay governmental organization until it might be ascertained what Congress had done in the short session.

When at length he received the information that Congress had again adjourned without having made any provision for California's civil government, he issued a proclamation, June 3, defining what he understood the legal position of affairs to be and appointing the first day of August as the day for selecting delegates to a general convention, which should convene in Monterey on the first day of September and proceed to form a State constitution or a plan for Territorial government.

Meanwhile Riley had become aware of the activities of the San Francisco Legislative Assembly, which had been assuming new and extended powers. It had not recognized any civil power as residing in a military officer but had justified itself in framing a temporary government for the protection of life and property in the district and in coöperating with the other districts in the movement toward popular organization. It had interfered with the inadequate judiciary of the district, and, among other acts, had violently deposed the corrupt *alcalde* and had created and filled other offices. Acting within its supposed right, the Assembly had recommended a general convention to be held at San José on the third Monday in August to form, if deemed advisable, a State constitution to be submitted to popular vote.

Fully cognizant of the powers assumed by the Assembly and of its recent actions, Riley issued a proclamation to the people of the district pronouncing the "body of men styling themselves the 'legislative assembly of the district of San Francisco'" an illegal and unauthorized body, which had usurped the powers vested solely in Congress, and warning all persons not to countenance it "either by paying taxes or by supporting or abetting its officers."

Settlers' Theory *vs.* Administration Theory

At last, in the middle of June, 1849, the opposing theories as to the actual status of California following the ratification of the treaty with Mexico had been clearly defined and respectively defended in the territory itself. These may be designated as the Settlers' Theory and the Administration Theory. The leading advocate of the former at Washington was Senator Thomas H. Benton, while among the Americans in California the sentiment was overwhelmingly in favor of the Settlers' Theory. Stripping the argument of all passion, this may be stated as follows: The moment the Treaty of Guadalupe Hi-

dalgo became effective, the Constitution of the United States and American principles were extended over the acquired territory of California. The Mexican civil law was in fact superseded. Congress, whose primary power to legislate is admitted, failing to provide a Territorial government, it is no usurpation in the people to legislate temporarily for themselves in self-defense. The government established during the war was, at its conclusion, continued as a *de facto* government; but, whereas it had before derived its authority from the rights of war, it now has no such source of power, but derives its authority from the "presumed consent of the people." A subordinate military officer can no longer fill the office of governor except by the sufferance of the people. While their presumed consent was "irresistibly inferred" by Secretary Buchanan in an abstract manner, it was historically entirely unreal;—instead of consent there was expressed dissent and repeated protest against the *de facto* government. Since Buchanan urgently *advised* the people "to live peaceably and quietly under the existing government," the settler claimed that the people had a *right* to change it. Because of the extraordinary exigencies, the Legislative Assembly of San Francisco was justifiably and legally formed, and other communities consistently exercised temporary legislative power as a practical application of the rights implied by American citizenship.

The Administration Theory, which was stoutly upheld by General Riley in accordance with his instructions, may be thus briefly summarized: Under a general principle of international law the laws of California, proclaimed to be in force following the American conquest must, at the conclusion of peace with Mexico, continue in full force until changed by competent authority. That authority being vested solely in Congress, and Congress failing to make other provision, the system of laws, defective as it

is, which obtained under military rule, must, insofar as not inconsistent with the laws, constitutions, and treaties of the United States, continue in full force under the civil government *de facto*. In case of a vacancy in the office of governor, the commanding military officer is *ex officio* civil governor. Such bodies as the Legislative Assembly of San Francisco, purporting to represent the people and presuming to legislate for them, are illegal and unauthorized bodies, having usurped powers vested solely in Congress.

Judged from a broad moral standpoint, the settlers were doubtless in the right. On technically legal grounds Riley's position was probably more nearly correct. Fortunately it became unnecessary to press the issue to the limit.

What the people wanted, as evidenced by resolutions calling for a general constitutional convention, was an organized government;—the end was paramount, the means secondary. Hence indications of acquiescence in Riley's plans began quickly to manifest themselves. The people of San José expressed their satisfaction June 7; other districts followed suit. Popular interest in the controversy was fast waning. A committee from the San Francisco Assembly, recognizing the importance of success in the one desire of all parties, recommended the propriety "of acceding to the time and place mentioned by General Riley. . . ." Although careful to state the concession was one of expediency and not of principle, the Assembly thus virtually put an end to the controversy, and the following week its own downfall was recorded.

In the early spring of 1849 Thomas Butler King had been sent as a secret agent of the government to California to acquire the fullest possible information and to promote the idea of a state constitution with a view to ultimate admission to the Union. It is a happy coinci-

dence that Riley had resolved on calling the convention before the arrival of King and that the leading settlers had loyally acquiesced in the *de facto* governor's plans.

The coming convention was now the one theme for discussion—barring, of course, the absorbing gold excitement. Complaints and pessimism were passing away; the bright prospect of the new régime at last amounted to positive assurance; it may almost be said to have opened even before the constitution was actually framed.

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Chapter XXVIII

BIRTH OF THE GOLDEN STATE

IN anticipation of the election of delegates to the constitutional convention the people were stimulated to hold preparatory meetings. For the most part these efforts were successful. The prospect of success, at first doubtful, improved as August 1 drew near. The native Californians showed unexpected cordiality of sentiment. San Francisco laid reluctance aside; even the miners began casting about for suitable candidates. The interest displayed was far beyond what had been anticipated.

With a fair degree of regularity the election of delegates was completed, without the scheming of political parties or combination of special interests.

Constitutional Convention of 1849

The convention proceeded to organize in Monterey on September 3, in the upper story of Colton Hall, perhaps the only building in California well suited to the purpose. The first question was on the eligibility of delegates to seats and the apportionment of representation in the several districts. Forty-eight delegates were at length accounted regular members of the convention.

Doctor Robert Semple, of Sonoma, was duly elected president, William G. Marcy secretary, and J. Ross Browne reporter. It was a unique constitutional convention. Several nationalities were represented, but delegates of American birth were in the majority, and it was to frame an American constitution that the delegates had come together. While not of national reputation, the men were disinterested, competent, and earnest. Many

were already conspicuous for their endeavors to establish a commonwealth. The Constitution was not the sudden creation of unintellectual gold hunters; it was made possible by the men of solid sense who had profited by the experience and the discussions of the interregnum.

The task of constitution making was undertaken amid extraordinary difficulties. Such divergent sentiments were entertained by native Californians, the earlier English-speaking settlers, and the miners that it seemed like an impossible task to bring them to an agreement upon the fundamental law of an incipient state. Perhaps no similar constituent body of delegates had ever come together so totally unacquainted with each other and so devoid of preconceived concert of plans or policies. However, there was firm agreement that their task was to frame a government for the recently acquired territory of California.

The task fell to a body of young men, the average age of delegates being thirty-six, the oldest, José Antonio Carrillo, being fifty-three. The great dearth of reference books in Monterey is indicated by the statement that probably not more than fifty volumes of law or history were to be found. However, these included copies of many state constitutions: Iowa and New York were most heavily drawn upon by delegates.

The convention commanded respect as a dignified and intellectual body of earnest, honest men who reflected honor upon California. The Hispaño-Californian delegates, seven in number, were shown great respect, and to them were extended special courtesies. General Mariano G. Vallejo, a man of commanding presence and dignified expression, was well acquainted with American institutions and laws. He enjoyed great popularity and was afterwards for years known as "the most distinguished of living Hispaño-Californians." P. N. de la Guerra, of

Santa Barbara, was an accomplished and well-educated man—afterwards a state senator. Carrillo was a pure Castilian, of strong character and quite intelligent. Antonio M. Pico, Jacinto Rodriguez, Manuel Dominguez, and J. M. Covarrubias were the other native Californians. Pedrorena was a native of Spain. Among the other foreign-born delegates Captain John A. Sutter stood pre-eminent.

Among the Americans William M. Gwin, a southerner of good education and experience, seems to have come to California for the express purpose of seeking election to the United States Senate. His experience in deliberative assemblies and his knowledge of parliamentary usage gave him distinct advantage; his ability in debate, added to his great powers of leadership marked him as the ablest politician of the convention. Other southerners were McCarver, Botts, Jones, Wozencraft, and Moore. Three of the most assiduous workers were Captain H. W. Halleck, Riley's secretary of state; Gilbert, the able young editor of *Alta California;* and Dimmick, a New York lawyer. Lippitt, Norton, and Steuart had been leading members of the San Francisco Legislative Assembly. Thomas O. Larkin is known as the "first and last American consul to California." Robert Semple, a five years' resident of the territory, proved to be a dignified and competent president of the convention. Provision was made to open each daily session with prayer, the Rev. Padre Antonio Ramirez and the Rev. Samuel H. Willey being requested to officiate as chaplains.

Debates of the Convention

Should the convention proceed at once to form a state constitution, or a Territorial government? A few delegates, for most part native Californians and conservative settlers from the south, voiced vigorous opposition to the

plan for state organization; but the sentiment favoring immediate statehood had increased with such remarkable rapidity that an overwhelming majority voted to proceed at once to the forming of a state constitution. This decision gave California the distinction of seeking admission into the Union without ever having passed through the status of an organized American Territory.

The Committee on Constitution reported an unoriginal Declaration of Rights, of sixteen sections. After several slight changes had been made, Shannon of Sacramento moved to insert, as an additional section: "Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State." Surprising as it seems in the light of the national agitation of the slavery question, this vital section was, almost without debate, unanimously adopted. The preponderance of sentiment was unquestionably in favor of a free state: but the actual vote was a matter for wonderment, since fifteen delegates had emigrated from slave states. This has been called the "pivot-point with the slavery question in the United States." California, entering the Union as the sixteenth free state, was to destroy forever the equilibrium between North and South.

This vote, however, by no means put an end to the slavery question in all its phases. There was lively discussion on a section prohibiting the entrance of free negroes. Slave holders, it was urged, would bring their slaves to California and free them in great numbers for brief service in the gold mines. These would be a burden on the community and would degrade white labor: it would be impossible to unite free and slave labor,—the two races could never intermingle without injury to both. But members were reminded that the Constitution would be subjected to universal scrutiny: it should not be said that they had attempted to arrest the progress of human

freedom. Since slavery was excluded, it was manifestly inconsistent to debar any race of men from a free state; moreover, the Constitution should not provoke discussion in Congress and thus "jeopard the interests of California." After much consideration the proposition was defeated by a large vote. The stronghold of the anti-negro party was the mining region.

There was extraordinary opposition to banks, based chiefly on mere suspicion and prejudice. To provide a satisfactory and just system of taxation was very difficult for obvious reasons. The large land-holders of the south objected to a tax which they feared would fall almost wholly upon them; while the great shifting population in the north and in the mines would enjoy the benefits of a government supported by the few. An amendment provided that assessors and collectors should "be elected by the qualified electors of the district, county, or town in which the property taxed for the State, county or town purposes, is situated."

Interest was manifested in the question of separate property for married women; the section as proposed, granting the wife power to hold separate property, was finally adopted,—one of the first provisions of the kind to be embodied in the fundamental law of a state. The debates on education revealed warm interest in that subject and great unanimity favoring the establishment of a well-regulated system of common schools. Liberal provision was made for public education; and with excellent foresight the income from certain lands was set apart for the establishment at some later time of a State University.

Question of State Boundary

By far the most animated debate of the convention was that upon the question of boundary. This contest, the longest as well as most sectional in character, came

dangerously near to wrecking the Constitution. As a Mexican province ceded to the United States, California was of vast but not strictly defined territorial extent, embracing the great desert east of the Sierra Nevada and the fertile district inhabited by the Mormons. The 42d parallel of latitude formed the definite boundary on the north, the Pacific Ocean on the west, and the treaty line between Upper and Lower California on the south: the point of dispute was the eastern border.

In the opinion of the Committee on the Boundary, the extent of Mexican California, estimated at nearly 450,000 square miles, was entirely too vast for one state: it recommended as the eastern boundary the 116th parallel. Sundry amendments were proposed and considered; but the disagreement was apparently irreconcilable. Gwin took a leading part in the discussion, favoring the large extent, urging that the convention had met to frame a constitution for the whole of California, and that it was no part of its prerogative to dismember the state. On the other hand, Semple argued that "it is evidently not desirable that the State of California should extend her territory further east than the Sierra Nevada," the great natural boundary; for such a territory as that proposed would prove unwieldy, and could never be subjected to the operation of our laws. Moreover, the Mormons were not represented in the convention, and they could not be compelled to come within the State of California. Hastings insisted that the South in Congress would never permit a state to settle the question of slavery for so large a territory; whereas it is "clear that the question is settled beyond dispute, if we establish a reasonable boundary."

Many members participated in the prolonged discussion. The actual bearing of slavery was tardily manifested: Tefft declared, "It is a question in comparison

with which everything else that has been argued here is trifling." He entertained no doubt that the extreme eastern boundary would "meet with the entire approbation of the Southern party,"—but the actual voting showed that he was mistaken. The desire to secure immediate admission into the Union was doubtless the motive that prompted most delegates, even though they held widely divergent viewpoints.

The question being resumed in November, Hastings' substitute, proposing an intermediate line through the Nevada desert, was quickly adopted and ordered engrossed for third reading; but a reconsideration being secured, the advocates of the Sierra Nevada boundary were confident of success. Great was their consternation when the report of the Committee of the Whole was concurred in. The utmost excitement and confusion prevailed. The wrecking of the entire work of the convention was narrowly averted. By dint of prodigious activity, however, a second reconsideration was secured. At the last the proposition fixing the present boundary was adopted by a large majority, thus settling the most vexed and exciting question of the convention.

The Constitution Completed

The California constitution was now completed. The closing events of Saturday, October 13, were highly dramatic. The valuable services of Semple, president of the convention, were recognized by a vote of thanks; and the kindness and courtesy which marked the intercourse of General Riley with the members were likewise remembered. While the delegates were engaged in the ceremony of signing the constitution, a national salute of *thirty-one* guns proceeded at the fort; and, says the *Alta,* "when, at last, the thirty-first gun came—*the first gun for California!*—three as hearty and patriotic cheers as

ever broke from human lips, were given by the Convention for the New State."

After final adjournment the members in a body repaired to General Riley's residence, where Captain Sutter, on behalf of the convention, expressed gratitude for the aid and coöperation given by the executive. The General responded feelingly, expressing a patriotic desire for the good of California, concluding with a rare tribute to his secretary, Captain H. W. Halleck.

The constitution being completed, California was in effect a state,—henceforth the Americans were Californians; the native delegates joined in the spirit of the occasion, fully convinced that "they were conquered but to become the brothers and friends of the conquerors." The Great Seal of the state was most appropriate. The designer was Major Robert S. Garnett, whose work was presented to the convention by Caleb Lyons. The thirty-one stars represent the states of the Union. Minerva, full grown from the brow of Jupiter, is the foreground figure, symbolic of California's admission without passing through territorial probation. A grizzly bear crouches at her feet; a miner, with rocker and bowl, illustrates "the golden wealth of the Sacramento"; and beyond the river, whose shipping typifies commercial greatness, rises the Sierra Nevada, while above is the legend "EUREKA," fitting motto for the new state.

The California constitution of 1849 was advanced in character, liberal, and thoroughly democratic. Embodying the tested principles of political philosophers, it was a striking illustration of the great capacity of the American people for self-government under trying conditions. Contrary to the expectation of some of its framers, it endured for thirty years as the fundamental law of a great dynamic state.

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THE GREAT SEAL OF THE STATE OF CALIFORNIA

EMPIRE STATE OF THE PACIFIC

Copies of the constitution, printed in English and in Spanish, were quickly carried to every town and camp and ranch. On November 13 it was ratified by a vote that was almost unanimous. Peter H. Burnett was elected governor and John McDougal lieutenant-governor. Edward Gilbert and George W. Wright were elected representatives to Congress.

San José had been selected as temporary capital; and on December 20, the state government of California was actually established, Burnett was inaugurated, and Riley gracefully resigned his powers as governor. Whatever legal objections might be raised to putting into operation a state government previous to Congressional approval, Riley judged that these must yield to the "obvious necessities of the case." Thus from the local standpoint California was a state, though not yet admitted to the Union. The delegation to the federal government, including Frémont and Gwin, who had been duly elected United States senators, set out, in January, 1850, for Washington; in March they laid before the two houses certified copies of the new constitution, and in a long memorial requested "in the name of the people of California, the admission of the State of California into the American Union."

Burnett announced to the state legislature that the first question for determination was whether they should proceed at once to exercise the function of legislation or await Congressional action on the question of admission. Acting in accordance with the governor's wishes, the senate and the assembly set vigorously at work, remaining busily engaged until final adjournment, April 22, 1850. The legislation of that first session was of great importance, as it was of highly judicious character. The

state was divided into twenty-seven counties, with provision for their respective county seats. Within a period of four months wise and generous provision had been made for the effective functioning of a great state.

Admission Into the Union

Meanwhile the topic of California's admission had become of absorbing interest in Congress. Southern members were intensely agitated at the prospect of losing control of the richest portion of the Mexican cession. The balance of power seemed irretrievably slipping away. California's delegation labored diligently in behalf of their state, proclaiming its firm loyalty to the United States and disavowing any intention of acting in disregard of the constitution or laws of the Republic. Believing in the justice of the principles which guided them and in the purity of their motives, they urged the extraordinary necessities of the case in seeking immediate admission.

The question was extremely complicated and fraught with the gravest difficulties. Omitting all details regarding the great Omnibus Bill, it must suffice to record that although Congress had repeatedly disappointed the people of California in the matter of a provisional government, no sound argument could now be adduced against admission. The exclusion of slavery from the new state was a rebuke at once very irritating and ominous for the future, notwithstanding the fact, as pointed out by Daniel Webster, that slavery was by the law of nature excluded from the territory acquired from Mexico. Congress struggled with the mighty problem, rendered infinitely more complicated by being inextricably bound up with many other national issues culminating in that mid-century year.

One of the stormiest sessions ever experienced by our

national legislature was drawing to a memorable close. The California question was the chief stumbling block in the way of Clay's compromise plan. After much tribulation and many weeks of dreary deadlock, the admission bill was put through the Senate on August 13, and on September 7 the House ratified the measure. Two days later (September 9, 1850) President Fillmore affixed his signature to the bill, thus welcoming to the sisterhood of states what William H. Seward termed "the youthful queen of the Pacific, in robes of freedom gorgeously inlaid with gold." California's senators and representatives immediately took their seats in Congress, and true to the Minerva myth the new-born state entered at once upon its full prerogatives in the national councils. President Taylor had been chiefly instrumental in advancing the cause of California's admission; but the hand of death, laid upon him two months before the consummation of his hope, explains why final approval was penned by his successor.

News of admission reached San Francisco October 18: the city's business was suspended in exultant feeling, and the people poured into Portsmouth Square for mutual felicitation. On October 29 a formal celebration was held, at which a memorable oration was delivered by Nathaniel Bennett. California was a full-fledged member of the Union of states and could henceforth never be robbed of the priceless blessings of statehood.

Location of the Capital

The question of the permanent location of the capital of California evoked considerable interest. Several cities eagerly urged their respective advantages. The claims of Monterey and San Francisco were presented and suggestions made about San Luis Obispo, Benicia, Stockton, and Santa Barbara. The legislators were not satisfied

with the accommodations provided at San José, where the first session of the legislature—dubbed after a trivial incident the "Legislature of a Thousand Drinks"—had sat.

The proposition of General Vallejo to lay out a city on Carquinez Straits made a strong appeal and won popular approval; in June, 1851, Governor McDougal caused the government archives to be removed from San José to the new town of Vallejo, though there was no suitable place prepared for the business of state. Because of the almost total lack of accommodations, a decided feeling soon developed for an early removal of the legislature to some more appropriate location. Sacramento, San Francisco, San José, and other centers presented their respective attractions, and in January the decision was reached to meet in Sacramento.

Great pleasure was shown by the Sacramentans at having the honor of being host to the government of the state; but the capital had not even yet found its abiding place. An act was passed in April recognizing Vallejo as the permanent seat of government. But because he had become seriously embarrassed financially, General Vallejo requested that his bond be cancelled. Still another vicissitude took the form of a great flood, which completely inundated Sacramento and created a disposition to remove to San Francisco.

In early February, 1853, a resolution to meet at Benicia was adopted. The Capitol was a two-story brick building, far more suitable than that at either San José or Vallejo. In the meantime Sacramento had become one of the most populous and progressive cities in the state: early in 1854 that city triumphed, and the state officiary arrived at the northern city amid sincere demonstrations of rejoicing. A great procession marched through the principal streets, addresses of welcome were

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SACRAMENTO IN 1850

delivered; and Sacramento—despite later attempts to secure the capital for other cities—became firmly established as the permanent seat of government in the Empire State of the Pacific.

Features of the New State

In the autumn of 1850 the total population of California, exclusive of Indians, was probably considerably in excess of 100,000, although the census returns fall short of that figure. San Francisco's population was estimated at from 25,000 to 30,000. At that time nearly three-fourths of the state's total population were living in the Sacramento-San Joaquín valleys and along the lower slopes of the Sierra Nevada. Perhaps eight per cent of the white population were native Californians, while nearly one-fourth were natives of foreign countries. The negroes probably numbered fewer than one thousand. Men predominated over women at the ratio of about twelve to one—a significant fact that helps to explain some of the most characteristic social aspects of California during the gold days.

Many were the exigencies the young commonwealth was called upon to experience, many the fierce buffetings before social order should finally be achieved. Nevertheless the rugged qualities, the elemental virtues of the dominant portion of California's charter American citizenry, launched the virile state at once upon a career that has gained the attention and won the admiration of all.

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Chapter XXIX

FLUSH TIMES

A Sudden Transformation

THE Days of '49 brought one of the most sudden and amazing transformations which history records. From a drowsy little Mexican pueblo San Francisco suddenly became an American city of feverish activity, while the harbor took on the aspect of a forest of masts. Central and northern California shook off the lethargy of a quiet land of *mañana*—the ranch days of the idle 'forties were thrust instantaneously aside—and the whole country was alive with the stirrings of new leaders of a new and dynamic race. The miner forced the ranchero completely into the background. The "flush times" had come. It seemed as though everybody was making money and growing rich overnight. All were grasping for the latest reports from the diggings, impatient to try their luck at some reported "strike" or some speculative venture. His "pile" of dust and nuggets was the talisman that opened every door to the flush miner in those feverish days following the arrival of the first thousands of modern Argonauts that made their way as if by magic into the new land of El Dorado.

Life in Early San Francisco

In the *Annals of San Francisco* is found a wealth of descriptive material regarding the marvelous young city by the Golden Gate, chief center of the abounding life of California during "flush times." Let us take a single hasty glimpse:

Perhaps never before in the world's history has there been exhibited such a variety and mixture of life scenes within the same extent and among an equal number of people, as in San Francisco for the two or three years succeeding the discovery of gold. Created by a sudden appeal to the covetous of human nature, and thus having drawn together a promiscuous crowd from nearly all nations, it represented a new school in the wild pine-woods, where all the scholars were strangers to each other, and each was a pupil to all the rest, and none were teachers except by example; or a mixed camp of an army of allies, amid the army chests of the enemy, friendly relations maintained by an armed neutrality. . . . Away from law, away from public opinion, away from the restraints of home, half wild with the possession of sudden and unaccustomed wealth, "On with the dance, let joy be unconfined," seemed the motto best suited to the conduct of a large portion of the people.

"The very air," wrote Bayard Taylor, "is pregnant with the magnetism of bold, spirited, unwearied action." San Francisco was the Mecca of the Argonauts, the clearing house of the miners. Life was intensely dynamic in the one real city of California. Here was the chief arena on which were to be won or lost the social and political battles of a great and growing commonwealth.

During 1850 more than 36,000 persons arrived in San Francisco by sea alone, fully one-half of whom came from widely separated foreign ports. Thither came not alone the Americans of every creed and complexion, but likewise representatives from every picturesque race—Chinese and Russian, Moor and Turk, French and German, English, Belgian, Italian. Along with the sturdy Argonauts—it must be confessed—there came also a number of "bummers," or loafers, and a contingent of base women.

The first city charter for San Francisco, having received the approval of the state legislature, was adopted May 1, 1850, and Colonel John W. Geary, last of a series

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SAN FRANCISCO IN 1849

of American *alcaldes,* was elected mayor,—thus the city government of the municipality was instituted.

Few of the early San Franciscans expected to become permanent residents; consequently there was slight attempt at construction of a permanent character. The fire hazard was greatly increased because of the vast number of tents and structures of the flimsiest construction. The aspect of the town had been quickly and completely changed by the sudden onrush of the gold hunters. The problems of housing and of protection from the winds and the rain were acute, as were those growing out of race differences. The sheltered little suburb called "Happy Valley" contained about 1,000 tents during the winter of 1849-50; "Pleasant Valley," as far south as Howard Street, was a pleasant stroll along the beach from town; "Sydney-town," around the base of Telegraph Hill to the north, abounded in the lowest sort of public houses and became the rendezvous of convicts and "ticket of leave" men from Australia; then there were "Little Chile," "Spring Valley," and—a little later—"St. Ann's Valley."

In the meantime San Francisco had been called upon to undergo awful baptism by fire. The first great conflagration occurred in December, 1849, when cloth houses and wealth stored in them to the extent of a million dollars were consumed. The second great fire—far more disastrous to the business interests—came on May 4, 1850: then, after an interval of scarcely a month came a third visitation, following which, tents and cloth houses were prohibited within the fire limits. But the flimsy redwood so extensively used in building proved scarcely less combustible,—another serious fire took its toll the following September. Most disastrous of all was the conflagration of May 4, 1851, which destroyed at least

$7,000,000 worth of property. After this costly experience, and especially following the fire of June 22,—known as the *sixth* great fire,—the buildings erected, in the words of a contemporary, "show a wonderful improvement in strength and grandeur."

The harbor gained importance with a suddenness that was astounding, the phenomenal activity being well illustrated by the fact that at the end of October, 1851, the number of vessels lying there showed a total of 451, about one-half being American and the other half including British, French, Chilean, Bremen, Austrian, German and store ships.

Money—usually in the form of gold dust—circulated with marvelous velocity, the "ounce" being regarded as a sort of monetary standard. In response to the acute need for coin, there was considerable private coinage of gold in California from 1849 to 1855. Baldwin and Company led with $590,000 during the first quarter of 1851. Moffat and Company at first issued rectangular ingots of gold, then circular coins, but later specialized for a time on the famous fifty-dollar "slugs." The establishment of the much-needed San Francisco Mint was assured by act of Congress, July 3, 1852. The building was completed early in 1854, and the Branch Mint began actual operations in April of that year.

Fabulous prices ruled in the days of Forty-nine. The Parker House, an ordinary two-story frame house on sixty-foot frontage, rented for $12,000 a year; the El Dorado, a fifteen by twenty-five foot canvas tent, brought $40,000. Servants received from $100 to $200 per month, rough labor was worth $8 to $12 per day, and skilled mechanics received as high as $6,000 a year. Interest on loans for a time ranged from eight to fifteen per cent per month,—yet fortunes were made on borrowed money!

Prices were subject to violent speculation:—beef and pork dropped suddenly from $50 or $60 a barrel to $10; flour from $60 to $10. The economic forces of demand and supply could only be guessed at,—invoices of merchandise were sometimes worth more for patching the sidewalks or as stepping stones than as goods to be sold over the counter! Occasionally the market was completely surfeited with certain imports, while others were extremely difficult to obtain. The elements of hazard made all business highly speculative, resulting in serious financial embarrassment.

Gambling obtained a prodigious vogue; by many business itself came to be looked upon as a gamble. Some of the most talented and influential as well as wealthiest citizens of the town were gamblers by profession. Gambling became a mania—there seemed to be no power to resist its fascination. There was Denison's Exchange, the Parker House, the St. Charles, Bella Union, and dozens of lesser establishments; but the El Dorado, with its eight tables and spacious bar, attracted the greatest crowds. Knives and pistols there were, too, a-plenty, but usually out of sight unless occasion called for their use.

The practice of duelling was deplorably common. It was with the greatest difficulty and after years of endeavor that public sentiment was enabled to secure the abolishment of these "affairs of honor."

Most early San Franciscans were young men far away from home, in an environment that offered every inducement to turn liberty into license. The absence of home refinements and home restraints proved the ruin of many. Extravagant theatrical performances were ostentatiously patronized, and magnificent balls were almost a nightly attraction. Perhaps nowhere else in the world were there so many billiard tables in proportion to the popu-

lation. During "flush times" San Francisco was indeed a city of gaiety.

"Steamer Day" was a unique institution. It was the first and sixteenth of each month, when steamers left for the East with their animated passengers and bulging mail pouches. Before the mails were finally closed, collections must be made, necessary remittances prepared; then there were eager arrangements and exchange of demonstrative salutations—the entire city worked itself up to a sort of social and commercial crisis once a fortnight.

Social Aspects

The California of "flush times" was no place for house plants and tender young trees,—there was the place for sturdy oaks and cedars: men of stamina and moral fiber survived and flourished, while "the irresolute and weak became prostrate wrecks." The game of life was played with an unrestraint that frequently amounted to complete abandon: social customs were like the ruling prices—extravagant to a degree and filled with paradoxes. Reverend Albert Williams, an observant clergyman of the time, pays the typical pioneer this tribute:

> Whatever departures from the right occurred, a standard of just principles was recognized. Though the Church and religion received not from all the heed which was desired, neither the one nor the other was spoken against; both were commended. The sacredness of Sunday was acknowledged.

Doctor Williams organized the First Presbyterian Church of San Francisco in May, 1849. Other church societies were founded in rapid succession by a devoted group of disciples including O. C. Wheeler, T. Dwight Hunt, Doctor Ver Mehr, and William Taylor, whose unique career as street preacher earned for him the nick-name "California Taylor." The Church at Mission

Dolores served for the Catholics until 1851, when the first city Catholic Church was organized.

Such was the young and virile city of San Francisco in the early 'fifties,—literally a young man's city, for of a total population of 50,000 not one-sixth of the inhabitants were women, the children numbering perhaps 3,000. It was a motley citizenry which on the whole—despite all evidences of political instability and corruption—presented an orderly and respectable aspect of men of energy engrossed in their own affairs.

Englishmen and French,
German, Dutch and Danish,
Chattering Chinese,
Portuguese and Spanish;
Men of every nation,
Birds of every feather,
Honest men and rogues
Hustled up together.

Take it all in all, it may well be doubted whether there was ever in the world another such city as was exuberant, tumultuous San Francisco during its first decade as an American municipality.

Mining Days and Miners' Ways

Nothing could be more alluring to the early prospector than the lively expectation that he might "strike it" the next minute, nothing more dramatic than the actual "find." New "prospects" were followed up by working the claims at or near the surface, along the numerous river beds and ancient water-courses.

The suddenness with which a mining town might spring into being is illustrated in the delightful *Shirley Letters* by reference to Rich Bar:

The next morning, two men turned over a large stone, beneath which they found quite a sizable piece of gold. They washed a

small panful of dirt, and obtained from it two hundred and fifty-six dollars. . . . they commenced staking off the legal amount of ground allowed . . . , and, the remainder of the party having descended the hill, before night the entire bar was "claimed." In a fortnight from that time, the two men who found the first bit of gold had each taken out six thousand dollars. Two others took out thirty-three pounds of gold in eight hours, which is the best day's work that has been done on this bench of the river. The largest amount ever taken from one panful of dirt was fifteen hundred dollars. In a little more than a week after its discovery, five hundred men had settled upon the Bar for the summer. Such is the wonderful alacrity with which a mining town is built.

The appearance of a strolling singer in a mining town often proved the occasion for special amusement and much-relished recreation. The words employed, usually set to well-known airs, such as "Pop Goes the Weasel," and "Ben Bolt," unquestionably showed some "hard edges"; but many a long, tedious hour was enlivened thereby. Perhaps no song of the gold days quite equalled "The California Emigrant" in wide-spread popularity. The chorus of a favorite version set to the tune of "Oh! Susannah!" by "One of 'Em" runs,—

Oh! California!
That's the land for me,
I'm going to Sacramento,
With my wash bowl on my knee!

Nowhere were the true principles of hospitality more faithfully observed than in the rude tents of the gold diggers. Good-fellowship characterized the members of the cosmopolitan society of the mining camp—a robust type of democracy was everywhere in evidence.

All too few were the pure and virtuous American women in the early mining camps of California. There was no greater need than for the presence of noble, high-minded women. In the "gilded halls of iniquity" many a lonely, victimized young miner was robbed of his last

ounce of dust, which he had been weeks in accumulating by hard and unremitting toil. In the hectic life of the times, elements of deep pathos and grim tragedy were not lacking.

The manner of life that prevailed in California during "flush times" is to be explained by the unprecedented production of gold. The maximum for any one year was reached in 1852, when the enormous total of $81,294,700 was reached.[1] During the period from 1849 to 1855, inclusive, the gold production of California was in excess of half a billion dollars. Given such a population as then filled the cities and towns and mining camps of the new commonwealth, each bent on winning his stake of the golden treasure, it is not difficult to comprehend the disordered economic and social conditions that everywhere obtained, nor the mania for speculation when direct production became slack or humdrum. And as truly as action is followed by reaction, depression was due to follow the ill-assimilated prosperity of the "flush times."

The Depression of 1854-55

It cannot be accounted strange that during the early days of abounding life and sudden prosperity San Francisco indulged in overbuilding. It followed by economic necessity that rents were reduced and that prices of lots sharply declined,—prosperity began to wane after the peak of 1853, a culminating year in several respects. In the feverish and unsettled conditions of the "flush times" the importation of merchandise was most erratic and in some instances unreasonably excessive; with the markets glutted prices fell with a crash,—there was downward swing of the financial pendulum, accelerated by the de-

[1] Chas. G. Yale, of the Division of Mineral Resources, U. S. Geological Survey, for several years Statistician of the California State Mining Bureau and the U. S. Mint at San Francisco.

clining yield of gold from the placers and the lighter immigration of that year.

Many San Franciscans who had been compounding enormous profits by importing large stocks of goods, as well as others who had come to believe that they were wealthy, found themselves face to face with disaster. A number of business failures were reported, followed by others and still others, with accelerating speed. Cases of insolvency in 1854 numbering 77, increased to 197 in 1855, with liabilities running well into the millions. There was incredible shrinkage of real estate values, and credit, but recently so generously bestowed, seemed to have taken wings and disappeared. On Washington's Birthday, 1855, the banking firm of Page, Bacon and Co., following the collapse of the St. Louis house and a heavy run in San Francisco, notified the leading business houses that it was necessary "for a short time to close their doors." Then followed hours of grave anxiety and a sleepless night for bankers. On the morrow, when Adams and Co. failed to open, the streets were in an uproar of feverish excitement as depositors rushed to the banks to demand their money and uncertainty and fear seized the people. That day—February 23, 1855—says Hittell, "was for years afterward remembered and referred to as the day of the great crash, the Black Friday of San Francisco."

However, the financial disaster, grave as it was, proved in the midst of those swiftly changing scenes less damaging and of less duration than appearances would indicate. Lack of modern communication was undoubtedly a large factor in the failure of Page, Bacon and Co., the decision of Adams and Co. to close with considerable money and bullion in the vaults threw the firm into long and expensive litigation, and the speculative mind of the typical San Franciscan did not conduce to the orderly

processes of business nor an equilibrium of economic forces.

The "flush times" had come to a spectacular close and the period of severe depression which ensued cast a gloom over the community all the darker because of the wasteful and corrupt administration which ultimately stirred the great Committee of Vigilance into vigorous action, resulting at length in the dawn of a new day politically, ushered in by the People's Party movement.

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Chapter XXX

VIGILANTE DAYS

IN all frontier settlements, to which unusual conditions attract a heterogeneous population, popular tribunals of some sort have been erected. In the presence of exceptional conditions, rendered more complex by the character of the populations, the citizens' tribunal has been inevitable as a means of self-protection.

Vigilance Committees and Lynch Law

It would not be accurate to speak of the vigilance committee as everywhere synonymous with mobocracy, or lynch law. A mob is a tumultuous rabble through which surges a common passion, overmastering in its power and usually subversive of both order and reason: a true vigilance committee not only recognizes the majesty of law, but constitutes itself "the champion of justice and of right," seeking actively to reinforce the constituted authorities by bringing criminals to speedy justice where the regular officials have failed. Pernicious technicalities must not be permitted to thwart the ends of justice. The vigilance committee has not been found where there has been wise and effective execution of sound law.

Certain episodes in California history long before the gold days bear resemblance to the activities of popular tribunals; but these are of even less relative significance than the early gold discoveries in southern California.

If there had been a crying need for territorial government previous to 1848, Marshall's discovery almost infinitely increased the need. For in the days that followed, the sudden human influx included hundreds of deserters

from all offices, ignorant or criminal elements from many lands, and unprincipled adventurers from the United States,—"loose fish" and "bad whites," not one-tenth of whom expected to remain permanently in California.

Affair of the "Hounds"

Such an element may be depended upon to exploit the labors of other men and reap where they had not sown, —a perfect type of social parasite. About the middle of 1849 an organized band of desperadoes, known as the "Hounds," terrorized San Francisco by their aggressions and high-handed crimes. These were virtually public robbers, who committed repeated offenses against San Franciscans under the flimsy pretense of opposition to foreigners. The gang paralyzed the town with terror. Their outrages grew ever bolder and more defiant: yet the long-suffering citizens, absorbed in their individual concerns, paid little effective heed to the aggressions of the organization,—which, after all, may be regarded as a natural consequence of the existing state of affairs.

But at length the excesses aroused sentiments of deep resentment and the feeling spread that somehow the lawlessness must cease,—the desperadoes must not be permitted to go beyond all bounds. The crisis came Sunday afternoon, July 15, when a large band of the self-styled "Regulators," after a ridiculous parade, committed a brutal assault on the "Chilenos," whom they beat and kicked, even wantonly firing upon and wounding defenseless men. When the news spread the town rose to the greatest pitch of excitement.

Sam Brannan and others quickly organized the community for self-protection. Nearly a score of the thugs were speedily arrested and tried, and the leader of the gang was found guilty of the eight counts against him. The "Regulators" were routed, and the incident closed.

But the lesson was too little taken to heart, partly because of the constant influx of new population and partly because the penalties inflicted had been too mild. Almost immediately San Francisco plunged again into a sort of social insanity. Few cities have ever been socially and morally tried as was San Francisco from 1849 to 1853. The strangely disordered but rapturous life seemed to men looking back upon it for only half a dozen years like a whirl of wild dreams, a fantastic unreality. The delirium of mad speculation had become a consuming fire. The infection was everywhere: few were wholly immune.

The failure of justice is indicated by the fact that scores of robbers and murderers were permitted to go scot free. Not one murder of the hundreds in California had as yet been expiated on the gallows; the courts themselves had become a by-word. It was in those hectic days that San Francisco was called upon to pass through her fiery ordeals, due in large measure to the moral and social conflagrations then raging.

As the city government became more expensive it became less efficient; theft was punished more severely than murder; in the hands of demagogues office was prostituted to the spirit of lawlessness. The community was undoubtedly reckless—despite the fact that there was always present a potent element of virtue and conservatism. Its besetting sin, as expressed by Professor Royce, was "tolerance of the open vices of those who chose to be vicious." The increasing magnitude and the velocity of private business and the growing multiplicity of relationships shut out the vision of the community's imperative demands. While good men slept, colossal wrong lifted up its head and stalked abroad. Robbery became bolder, organized crime arrogant and defiant,—government itself seemed wrenched into the tool of outlawry.

Vigilance Committee of 1851

Suddenly the civic conscience was fully aroused; it shook off its long lethargy and stood erect and militant. In February, 1851, a prominent merchant named Jansen was assaulted in his store and his safe burglarized. The need of the hour was some form of strong organization among lovers of order for the preservation of peace and the enforcement of law. Rising to the occasion, "The Committee of Vigilance of San Francisco" was organized on the 10th of June, with about two hundred members, whose specific objects were "to watch, pursue, and bring to justice the outlaws infesting the city, through the regularly constituted courts, if possible, through more summary course, if necessary." The members determined that "no thief, burglar, incendiary, or assassin, shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or a laxity of those who pretend to administer justice." For mutual protection and for purging the city of its bad characters each member pledged his word of honor, his fortune, and his life. At the head of the committee was placed William T. Coleman.

Scarcely had the organization been effected when, about ten o'clock at night, two sharp taps on the fire bell brought the members back to headquarters. A powerful ex-convict from Sydney named John Jenkins had burglarized a store on Commercial Street and had promptly been taken to the room of the Committee.

There was little hesitation. In an hour Jenkins, whose reputation as an ex-convict and profane boasting were much against him, had been tried; in two hours, at the stroke of midnight, he was pronounced guilty and sentenced to be hung. Two hours later the condemned man expiated his crime at Portsmouth Square. The work of

Vigilance was heralded quickly throughout the state. San Francisco's best citizens pledged their support. Within a single fortnight a complete change had come over the state of society.

On the morning of June 11 the bell on the Monumental Engine House again summoned the Vigilance Committee to consider a case that meant death to the culprit. This was James Stuart, one of the most colossal villains in California. Quickly condemned to death, after two hours he was led forth to the Market Street wharf, where he was hung.

Samuel Whittaker and Robert McKenzie were brought to trial for a long list of crimes: they confessed and were condemned to die. By a sudden coup these prisoners were seized by the sheriff and placed in jail; but on Sunday afternoon, August 24, they were abducted by a party of Vigilantes and taken to committee headquarters, while the solemn bell at once summoned the members and sounded the death knell. Six thousand men witnessed their execution in silence.

The record of sentences imposed by the Vigilance Committee of 1851 is as follows: hanged, four; whipped, one; deported, fourteen; ordered to leave the state, one; handed over to the authorities, fifteen; discharged, forty-one. The final entry in the secretary's book is dated June 30, 1852; but even then the association was not formally dissolved—the members stood ready, on occasion, to speak out their undoubted supremacy with no uncertain voice.

With the exception of one newspaper, the local contemporaneous press cordially endorsed the movement and rendered effective aid: with a few notable exceptions the eastern press was inclined to condemn the Committee's activities.

Miners' Justice

A natural consequence of the movement in San Francisco was the encouragement of similar movements in the interior and in the mining camps, where isolation rendered vigilance perhaps even more needful. One of the first instances was "Rough and Ready," in Nevada City, in 1850, whose success suggested the fatuous idea of an independent "State of Rough and Ready!" Many cases of the arbitrary administration of justice are recorded in *Alta California.* A committee of 215 signers was formed in Sacramento. Later it was stated that seventeen murders had been announced within a day or two about Marysville, and that the Vigilance Committee would "take prompt steps in the premises." Robberies were "of frequent and alarming occurrence" about Mokelumne Hill; not until a criminal was executed in the presence of nearly 1,000 witnesses were the people satisfied. These are but samples of what was being done in towns and camps in all directions within and beyond the borders of California.

Not all instances of popular justice were worthy of respect. The distinction between a vigilance committee and lynch law was not infrequently lost sight of, and in some instances heinous crimes were committed in the name of popular justice. Nevertheless it would be a grievous error to conclude that the Vigilantes were a lawless mob. "People out of California,"—we read in the *Annals of San Francisco,*—"could know little at best of the peculiar state of society existing there; and such as condemned the action of the Vigilance Committee positively either knew nothing on the subject, or they outraged the plainest principles of self-preservation."

The Great Committee of 1856

The great San Francisco Committee of Vigilance of 1856 holds a memorable place in the history of California. It was the greatest of all popular tribunals.

As the terrible warnings of the hangman's noose began to fade from popular memory, and vigilance began to be relaxed, other human vultures swept down upon the city, greedy for their prey, and law again fell on evil times. The forces of villainy and crime showed themselves more intelligent if equally unprincipled, more crafty if at the same time more utterly demoralizing. The approved method now was to capture primaries, stuff ballot boxes, and become intrenched in public office. It became increasingly unsafe for honest men to approach the polling place, for a set of bullies and "shoulder strikers" were likely to be on hand to knock them down and render life itself insecure.

San Francisco had sunk to a state of political degradation, a condition chiefly explicable by the unsettled conditions and the great depression following upon the heels of the "flush times," by the grossly inefficient and frequently corrupt municipal officers, and by the riotous gambling and speculation, accompanied by a marked decline of production in placer mining following 1853 and leading to the panic of 1854. It is stated that a thousand homicides were committed in San Francisco from 1849 to 1856, with but a single legal execution!

James King of William

Casey's attack on James King of William, free lance editor of the *Bulletin,* was the occasion for the organization of the great Committee of Vigilance of 1856. Previous to this much feeling had been aroused against the assassin of General William H. Richardson: this was

Charles Cora, whose trial was denounced as a farce. James King, a native of the District of Columbia, had arrived in California in 1848. After trying the mines, and mercantile life in Sacramento, he had the misfortune to be stripped of all his property with the failure of Adams and Company, the result being the *Daily Evening Bulletin,* which under his editorship circulated its first issue October 8, 1855.

The fearless editor did not hesitate to attack David C. Broderick, charging him with selfish aims in politics; next there appeared an exposé of Palmer, Cook and Co.;—he announced that "he would make certain parties writhe under the agony to which his exposures would subject them." Seldom has it been given to a newspaper to wield so powerful an influence in a pioneer community as was given to the San Francisco *Bulletin* under the aggressive control of James King of William. But while a terror to the evildoer, he himself was not immune from personal attack.

In an article of May 14, 1856, King made caustic reference to the reputation of James P. Casey, which brought the latter to the editorial room with a demand for explanation. After a brief altercation Casey was ordered from the room, which aroused his passions to such a pitch that he sought early opportunity to take King's life. The opportunity came speedily: he confronted the editor at about five o'clock in the afternoon on the public street, drew a revolver and fired. King was mortally wounded; Casey was rushed to the station-house and locked up. The popular excitement waxed greater and greater until it amounted almost to frenzy. Repeated demands were made that the prisoner must be taken out and hung,—but there was no organization and the jail was strongly guarded.

William T. Coleman was among the citizens who had

hastened to the Plaza, where excited crowds had gathered. Being importuned to organize a new committee, he at first declined; but finally he was constrained to yield to the urgent appeals of fellow-citizens. Seldom has there been a swifter, more determined movement among the masses of the people of a city than was exhibited during the first days of the great San Francisco Vigilance Committee of 1856.

King's condition was regarded with the utmost solicitude. Hopes for recovery were for a time entertained; but despite all efforts he died on Tuesday, May 20, in the prime of his early manhood, leaving a wife and six young children. The announcement of his death had the effect of arousing in his city the spirit for which he had incessantly labored. The earthly voice of James King of William was forever silenced, but the note of his prophetic spirit rang out high and clear from the grave.

William T. Coleman

Acquiescing in a general desire, Coleman accepted "Number 1" in the Vigilance Committee, the new organization maintaining a strictly impersonal character. Each member, after taking the solemn oath of fealty, was known by his number only. The work of enrollment proceeded with great rapidity. Members of the Committee of '51 were first to join. Actual organization was effected by the election of officers, and it was decided to have an executive committee, an examining committee, a chief of police and some twenty-five policemen. The motivating spirit of the organization is revealed by its constitution, adopted May 15, 1854. It was an association "for maintenance of peace and good order of society— . . . but we are determined that no thief, burglar, incendiary, assassin, ballot-box stuffer, or other disturber of the peace, shall escape punishment, either by the quibbles

of the law, the insecurity of prisons, the carelessness or corruption of police, or a laxity of those who pretend to administer justice; . . ."

The executive committee lost no time in giving serious consideration to matters of prime importance. Coleman's proposal to organize into companies of one hundred each, with ten companies to a regiment, was duly approved and promptly put into effect, each company submitting its own list of officers for approval. Within fifteen hours of the first meeting, the San Francisco Committee of Vigilance of 1856 was in working order and ready for action.

A letter—the first of a famous series signed by "33 Secretary"—served notice to Sheriff David Scannell and his deputies that they would be held strictly accountable for the safe custody of prisoners. The sheriff was confronted with a spirit of disaffection of the militia and by the swiftly spreading sentiment in favor of the Vigilance Committee. Mass meetings at Sacramento, Stockton, and other points were practically unanimous in their expressions of sympathy with the objects of the organization. With every passing hour the movement gained momentum.

There was opposition, to be sure: some asserted that there was no real need of organized vigilance. The Law and Order Party stoutly opposed the committee,—the contest became bitter and was at times ominous. Governor John Neely Johnson took official cognizance of the threatening situation. His inconsistent course showed him to be incapable of rising to the occasion in a broad spirit of fairness and conciliation. Earnestly supporting the Law and Order Party, his course seemed calculated to bring on civil war had not his efforts been so utterly futile and lacking in substantial support.

Never had San Francisco witnessed such events as those

of May 18. Twenty-six companies, each with its captain and four lieutenants, having been drilled day and night, stood ready for immediate action. Shortly after noon the armed companies awaited the word of command. The jail was approached from different directions—gleaming bayonets approached simultaneously from Stockton, Dupont, and Kearny streets. When halted the troops commanded the entire square bounded by Broadway, Vallejo, Kearny, and Dupont streets. On the demand being made, Casey was taken from the jail and removed under guard to committee headquarters. An hour later the jail was entered and Charles Cora, murderer of Marshall Richardson, was given into the possession of Vigilantes.

Scarcely had the trials of Casey and Cora been begun when the announcement of King's death threw the city into a state of intense excitement; but the trials proceeded with befitting deliberation. At the conclusion each man was unanimously adjudged guilty of murder, the verdicts being later approved by the board of delegates. As the solemn cortége of King moved through the city streets, preparations for a very different scene were being completed at Vigilance headquarters,—the imposing military force being brought to present arms, the condemned men suffered the extreme penalty for their guilt. The day following the execution was the first for a period of ten days in which the business of the city resumed its normal course.

On June 2 Governor Johnson in a formal communication commanded Major-General W. T. Sherman, in charge of military forces, to call upon the militia and voluntary companies under his command to act with him "in the enforcement of the law." The Governor's proclamation, coming at that late hour, brought forth considerable laughter: moreover Sherman had himself admit-

ted, "The entire community was on one side." He had a conference with Johnson and General John E. Wool at Benicia, at which Wool, in reply to the Governor's question, said; "no person except the President of the United States could grant arms or munitions to a state in case of an insurrection, but a case might arise when a general of a division might take the responsibility and this might be one."

Johnson's activities, and his published declaration that the country was in a state of insurrection, forced upon the Vigilance Committee the necessity of an unwelcome program and of greatly augmenting its forces. The prospect of serious conflict was greatly reduced, however, when Wool replied to the Governor's request for arms and munitions, indicating, in effect, that in the then state of feeling it was deemed unsafe to send arms to San Francisco. Sherman, convinced that nine-tenths of the people of California approved the acts of the great Committee, and confronted with Wool's refusal to supply the only arms to be had, felt forced to resign his commission. His resignation was a thunderbolt which swept away all show of real resistance to the sway of the Vigilantes. The Governor was unsupported and powerless.

The Committee of Vigilance had adopted as its motto, *"Fiat Justitia Ruat Coelum";* its seal contained the symbolic human eye of sleepless vigilance over the legend, "No Creed, No Party, No Sectional Issues." Fully aware of its great power the committee on June 9 issued an elaborate address setting forth its motives, its attitude toward the community, and the grounds for justifying its own continued existence. Headquarters were embraced within the block bounded by Front, Davis, California, and Sacramento streets and became known as "Fort Vigilance." The special rooms on Sacramento Street were protected by a breastwork of bags of sand, piled ten feet

high and six feet thick,—whence the name "Fort Gunnybags." Guards were stationed at the passages and at all needful points. On the second floor were located the various departments and prisoners' cells. A spacious room in which were hung the flags of the different nations served as the executive chamber,—in this the solemn trials were conducted. A great alarm bell was suspended on the roof, where also several cannon were planted. Powerful guards were kept constantly on the watch.

The executive committee's "black list" had been steadily growing; but no action was taken except on the concurrence of at least two-thirds of all members present, and no person was convicted and sentenced to deportation without trial and evidence. The first actual deportations occurred June 5, when three men were started for Hawaii and three others for Panamá. Men sentenced to banishment were warned not to return to California on penalty of death. The penalty of "transportation" offered the best solution in numerous cases,—to provide safe imprisonment for long terms was plainly impracticable, and to permit dangerous men to be at large was out of the question. There is no doubt that in a number of instances undesirable characters advisedly took their leave rather than by remaining run the risk of trial and consequent penalty.

The military force of the great committee was formidable. General Sherman said in a letter, "I do not doubt that six thousand armed men will obey their decrees quickly, energetically, and cheerfully." The power of the Vigilantes was so secure and their dedication so complete that they were determined to finish their great task and to conclude their labors with befitting dignity; for only thus could they justify their existence and their activities.

David S. Terry

The most disagreeable work was yet to be done. Sterling A. Hopkins, while attempting to effect the arrest of the custodian of some cases of seized muskets, was resisted by David S. Terry, Chief Justice of the State Supreme Court, who inflicted a bloody wound with his knife in Hopkins' neck. Terry and his group ran to the armory and joined the Law and Order forces, while the streets at once began to fill, and instantly intense excitement prevailed. Terry's arrest was ordered by the executive committee: swift work was made of this and he was hurried to Fort Gunnybags.

But what should be done with Terry? The great Committee had never been brought face to face with so delicate and embarrassing a problem as that of dealing with the Chief Justice, who, with Volney Howard and other pro-slavery men, had become a leading adviser of Governor Johnson and the Law and Order forces. The committee had surely caught its white elephant! Hopkins lay dangerously wounded: if he should die, could hanging be avoided, except by complete and humiliating abdication? For anxious weeks the case was discussed: the wound did not prove fatal, the committee was not coerced by its rash friends, and after seven weeks of detention in the Fort, Terry was finally released, returning at once to Sacramento. In the meantime Philander Brace and Joseph Hetherington were convicted of murder, and their execution on Davis Street in the presence of immense crowds was the last carried out by the great Committee of Vigilance.

The Committee's Work Completed

Finally came the day of adjournment. The active work came to an end in a most imposing demonstration.

The grand military review of August 18 formed an impressive close for what Hubert Howe Bancroft pronounced "one of the grandest moral revolutions the world has ever witnessed." The formal address that marked the close of the Committee's work was published in the newspapers of the time. There had been four executions, and about thirty undesirable characters were transported from the state. That the work of vigilance was one of splendor and permanence is attested by the city's approval of civic reforms espoused by the newly formed People's Party. For years San Francisco was one of the best governed cities of the country.

The motives of the men who willingly sacrificed private interest in order to discharge a great social and civic duty are unimpeachable. And it is fitting to remark that in any calendar of great Californians the name of William Tell Coleman, President of the Committee of Vigilance, must be accorded a conspicuous place of honor. His supreme courage, his consummate skill in generalship, his absolute personal honesty and rare poise of judgment—and withal his noble, self-sacrificing devotion to public duty mark him as one of the truly great. When "Old Vigilante" died in 1893, the venerable editor of the New York *Sun* wrote: "Surely if there are great men nowadays, Coleman was one, and they who knew him truly as he was, may well be grateful to Heaven for the privilege."

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Chapter XXXI

DEVELOPMENT OF COMMERCE AND INDUSTRY

THE many currents and counter-currents of surging life and activity, the sudden changes and transmutations that manifested themselves in the highly dynamic society—in a land that was strange to most of the citizens—rendered impossible any accurate forecast of events or of business conditions from one year to the next. The development of early commerce and industry was admittedly erratic; but it was nevertheless real and substantial. Modified and buffeted about by unforeseen and unique exigencies, the material development of California during the "flush times" was unmistakably forging ahead with great momentum; order and system were rapidly emerging, though anything approaching stable conditions in business was still far away.

The Fur Trade

As the fur-bearing animals along the Pacific Coast suffered gradual extinction, the fur trade inevitably diminished. The Yankee captains of early days had combined with their skill in handling ships and their knowledge of the sea a shrewdness in business that gave them a decided advantage in developing international commerce. In the American trade with China it had been found that furs were most valuable of all commodities from the outlying ports of the world, and the Americans had enjoyed a virtual monopoly of the fur trade from the beginning of the nineteenth century.

The fur of the sea otter was of such importance in California history as to make that animal comparable to

the beaver in its influence upon the history of North America. "It was responsible for the Russian occupation of Alaska," says Professor Cleland, "the early voyages of Englishmen to the British Columbia coast, and the first contact of Americans with California and the northwest." But the sea otter had already ceased to be an important factor in California history before the first American trapper entered the territory overland from the east, though scattering furs were still being bought at country stores for San Francisco dealers as late as the 'eighties.

The Whaling Industry

Adventurous sea captains from New England gradually extended their whaling expeditions down the coast of South America until they had rounded Cape Horn and entered the Pacific. Lucrative gains lured them to the North Pacific; and long before California was acquired by the United States the whaling industry had spread to the waters of Alaska and Bering Sea, and even to the coast of Japan. A successful cruise often occupied three years or longer. Because the ports of the Sandwich Islands and of California met the requirements of the whalers, Monterey and San Francisco were commonly selected for reconditioning the vessels, and the chief rendezvous was at the Sandwich Islands. At times as many as two score of the boats lay at anchor sheltered behind the Golden Gate. By 1855 approximately 500 of these vessels were employed in the industry.

Seventeen Portuguese firms at Monterey obtained 24,000 barrels of oil in a three-year period, the average yield from one gray whale being twenty barrels. After 1865 San Francisco was the headquarters; and the subsequent decline of the industry is indicated by the fact that the census of 1880 places the value of California whaling at only $202,000. By 1881 the fleet had de-

clined to forty vessels. The real significance of the industry is not to be estimated in terms of capital invested or monetary reward but, like the fur trade, it lies in the impetus imparted to the interest of Yankee captains in Pacific harbors and in the value of the ample resources of California.

Salmon fishing began very early in California. In 1855 three firms were engaged in the curing of salmon in the vicinity of Sacramento, employing 200 men. The increase of the industry was such that for 1880 the census shows a capital of $1,800,000 in the fisheries, including 850 boats, the annual catch being estimated at 12,000 tons. In 1881 the canned salmon product of the Pacific Coast amounted to $5,000,000, some of the most important canneries being at Sacramento.

Mining Developments

When California was admitted to the Union in 1850 actual tillage of the soil was practically negligible: few believed that the state possessed any great potential value for agriculture. The feverish search for gold almost totally obscured all other callings not actually subsidiary to some form of mining.

Before setting forth agricultural and horticultural development it is appropriate briefly to take notice of the leading phases of the mining and other extractive industries subsequent to the purely exploitative period. The mineral lands of California may be classified into (1) lands containing metallic resources, (2) those containing non-metallic resources, and (3) those containing fuel resources.

Following the earliest crude methods of hunting and digging for gold, two methods of gold mining were developed on an enormous scale. The first was quartz crushing, for a time consisting in simply pounding gold-

bearing quartz into fragments, then pulverizing it in great iron mortars by means of heavy pestles each made fast by a pole to the branches of a tree or other object. This primitive device was called an *arastra*. The pulverized quartz was treated with quicksilver to separate the gold. By 1857 more than 150 quartz mills had been erected; and since it was still doubtful whether the method was really profitable, a quartz miners' convention was held at Sacramento "as a means of gaining information by mutual conference." By 1863 great advance had been made both as to machinery and method—quartz mining had become well established.

The Comstock Lode, the story of whose discovery in 1857 belongs primarily to the history of Nevada, proved to be one of the richest silver mines in the world. The first heap of the "blue stuff" was found in Gold Cañon, the second in Six Mile Cañon. The Ophir Mine became world-famous: in less than a generation the Comstock mines produced $350,000,000 worth of bullion and paid dividends amounting to $130,000,000.

Transportation and Communication

During early days in California good roads, as understood in our own day, did not exist. Such roads as did exist were, as a rule, exceedingly bad, although it is appropriate to add that in various localities numerous toll roads were maintained in fair condition, being in some instances the source of considerable revenue to the keepers. The financial condition of the counties was such as for years to preclude the possibility of bestowing anything like adequate attention upon the public roads.

The stage coach, to which further reference is made in a later chapter, began to come into use in the very early 'fifties. Before 1860 regular stages were operated twice a month between San Francisco and Los Angeles.

Improved facilities were introduced into southern California very tardily, since the population growth fell far behind that in the mining regions of the north. In the meantime Sacramento had become the very active center of a number of stage companies operating in all directions.

Freighting into and out of the mining camps came to be a leading occupation in the years following the gold rush. It was no easy task to handle the great teams of horses or mules hitched to large, heavily-loaded wagons over the rough roads and up the steep grades of the Sierra Nevada; and it should not be at all surprising that the freight rates were very high.

Postal service was often seriously, even ludicrously, defective, and there was constant clamor for better facilities. In the summer of 1851 there were only thirty-four post-offices in all California, though from that time forward there was rapid improvement. The Adams and Company Express, then a little later the Wells, Fargo and Company Express, absorbed a large proportion of domestic letters as well as parcels, including shipments of gold and other valuables. The express companies came to be regarded as highly dependable when compared with the United States mails. In a five-year period $58,000,000 worth of gold is said to have been transported by Wells, Fargo and Co. into San Francisco.

Development in Banking

The banking business underwent complete reorganization, the Loan Society of San Francisco being the first corporate bank to organize under the general law, in 1857. The Hibernian Savings and Loan Society was incorporated two years later as a purely mutual bank: reincorporated in 1864, it has continued through the dec-

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ades as a powerful institution. In the same year the Bank of California was incorporated, with William C. Ralston as its guiding genius. After a decade of brilliant leadership and outwardly prosperous career, it suddenly closed its doors, and the community was shocked and dismayed when within twenty-four hours "the body of its president was found floating upon the waters of the bay." Ralston had absorbed almost all of the bank's paid-up capital, amounting to $5,000,000. Other banks closed their doors and anxiously awaited developments. William Sharon was finally placed at the head of a syndicate charged with the task of extricating the business from the maze of difficulties and financial obligations. Considering the magnitude and complexity of the problem of resurrecting the bank, Sharon's achievement must be adjudged one of the most brilliant in the financial history of the state. Still later D. O. Mills, who had been its first president, again accepted the presidency, complete rehabilitation was consummated, and the Bank of California became one of the great financial houses of the state.

Prominent among the earlier banks of Los Angeles was that of Hellman, Temple and Co., formed in 1868, out of which was organized, three years later, the Farmers and Merchants Bank, now the widely known Farmers and Merchants National Bank. The First National Bank of Los Angeles, which came to be one of the most powerful on the Pacific Coast under the presidency of Henry M. Robinson, was an outgrowth of the Commercial Bank, organized in 1876. In 1929 a merger was brought about between it and the Security National Bank, under the presidency of Joseph Sartori, thus giving to southern California one of the country's largest banking institutions.

The history of banking in California has been similar to the history of the state itself. There was an early exploitative stage, invoking the prowess of resourceful men, but beset with difficulties of time and circumstance, with here and there a trusted leader who yielded to the pressure of temptation or fell victim of personal ambition. Then there came the starting over again, and as a result of heroic endeavor brilliant financial achievement brought restoration of confidence and enduring progress. Clearing houses were organized in San Francisco and Los Angeles. Despite the early feeling of hostility toward banks, it must be said that the banks of California as a class have made an incalculable contribution to the progress of the state's commerce and industry. In recent years there has been unprecedented activity in bank mergers and in the establishment of branch banking, led by the Bank of Italy under the guidance of Amadeo P. Gianini, the full significance of which is not even yet apparent.

Early Manufacturing

Manufacturing establishments of standard character were of tardy appearance, a condition readily explained by the immense distances from the great eastern centers and the highly exploitative nature of industry in a new land during early mining activities. Nevertheless the Union Iron Works was founded originally in 1849, by James and Peter Donahue. The business expanded rapidly, while similar works sprang up from time to time. In 1865, however, following a period of depression, the establishment was sold to a new company; and the superior knowledge and directive energy of Irving M. Scott made him a leading citizen of San Francisco and caused the products of the Union Iron Works to be known around the world.

In the meantime the Risdon Iron Works and the Pacific

Iron Works had been established, and they developed a high degree of versatility in production. By 1876 San Francisco had forty-seven foundries, machine shops, and similar establishments.

The demand for lumber and California's vast wealth in primeval forests inevitably pointed to a lumber industry of great magnitude. Planing mills and related establishments multiplied in response to the insatiable demand. During several years flour was a chief article of import in California; but by 1855 flour was actually being exported, for the wheat-producing qualities of the soil had been demonstrated and commercial milling had been begun.

Possessing the chief harbor and being the principal depot for raw materials as well as refined products, San Francisco became the center not only of California but likewise of the Pacific Coast for manufacturing enterprise and activity. By the close of the Civil War ships were entering the Golden Gate in ballast to load grain, flour, lumber, wool, hides, mineral ores, quicksilver, and other products. Productive enterprises in the state included flour and saw mills, foundries, sugar mills, tanneries, ship yards, potteries, powder works, boot and shoe factories, wagon and carriage factories, and still others. More recently rapid industrial expansion has characterized various centers of population, particularly in southern California. The mild climate makes it possible to have steady employment throughout all seasons of the year. The prophecies of bold spirits that the manufacturing interests of California were destined eventually to surpass both the mining and the agricultural industries, which at the time appeared to most men utterly preposterous, are rapidly becoming actual history.

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Part VI

A COMMONWEALTH GROWING IN GREATNESS

Chapter XXXII

POLITICAL ACTIVITIES

Governors Burnett and McDougal

THE first governor of California under its constitution was Peter H. Burnett, a former pioneer of Oregon, of facile intellect and agreeable temperament, in politics a Democrat. His unexpected resignation in January, 1851, as a result of certain personal prejudices, terminated his very brief administration and brought into power the lieutenant-governor, John McDougal.

Organization of Counties

Previous to the American conquest there had existed in California five districts,—San Diego, Los Angeles, Santa Barbara, Monterey, and San Francisco. The ten districts defined by General Bennet Riley and represented in the constitutional convention of 1849 were San Diego, Los Angeles, Santa Barbara, San Luís Obispo, Monterey, San José, Sonoma, San Francisco, San Joaquín, and Sacramento. An early task of the First State Legislature was to divide the new state into counties. General M. G. Vallejo was made chairman of the special committee, which presented its report in January, 1850, embracing the boundaries of eighteen proposed counties. The final act, creating the original twenty-seven counties, was signed by McDougal, February 18, the full list being as follows:

San Diego	Monterey	Contra Costa
Los Angeles	Branciforte	Marin
Santa Barbara	San Francisco	Sonoma
San Luis Obispo	Santa Clara	Solano

Yola	Sutter	Trinity
Napa	Yuba	Calaveras
Mendocino	Butte	San Joaquín
Sacramento	Colusi	Tuolumne
El Dorado	Shasta	Mariposa

Branciforte was changed by amendment to Santa Cruz, Yola was later spelled Yolo, Colusi became Colusa, and the boundaries of several counties were redefined. All the county names were of Spanish or Indian origin except Sutter (named after John A. Sutter) and Butte (so named by trappers of the Hudson's Bay Company). Vallejo's report on the derivation and definition of the respective names constitutes an interesting document in the early history of the state. In response to a demand for additional counties a law was enacted in 1851 creating the counties of Nevada, Placer, and Klamath. Sierra, Siskiyou and Tulare were added the following year. Further additions were made from time to time, requiring numerous boundary changes, till in 1907 the separation of Imperial from San Diego brought the total list of counties in California to fifty-eight.

The Democratic Party in the state dates its formal beginning from a meeting held at the crude Capitol, in San José, in March, 1851. The regular convention met in Benicia, May 19, nominated John Bigler for governor, and adopted a long address to the people. The state convention of the Whig Party of that year met in San Francisco, May 26. Pierson B. Reading, an early California pioneer of varied experience, was nominated for governor, and a long series of resolutions adopted.

In the campaign of that year United States Senator William M. Gwin, who had returned home following the spring adjournment of Congress, conducted an active campaign in the interest of the Democratic nominees, thus materially contributing to Bigler's election to the gover-

norship. The widespread political corruption and defective legislative practices of the time reflect no credit on California politics: unfortunately such conditions were largely ignored by both political parties. For more than a decade there was but slight change in the relative strength of parties, the state continuing Democratic, with the exception of Johnson's Know-Nothing administration, until the inauguration of Leland Stanford, in January, 1862.

In 1851 the Legislature failed, after one hundred forty-two ballots, to elect a successor to United States Senator Frémont, leaving Gwin for the better part of a year the only accredited representative of the Golden State at Washington. It is not strange, therefore, that he came to look upon California as "his particular preserve."

Broderick and the Slavery Issue

During the following session of the legislature assiduous efforts were made to promote slavery sentiment in the arena of state politics. The passage of a fugitive slave act and manifest discriminations against the negro seem strangely out of harmony with the anti-slavery record of the state. It was at this period, also, that there came into prominence one of the most remarkable personalities in the political annals of California—David C. Broderick, a native of Ireland. He ceased not in season or out to wage vigorous and relentless war upon slavery extension and against the institution of slavery itself,—and this regardless of the bitter opposition of his fellow Democrats. His consuming passion was to be United States Senator.

The campaign of 1853 brought a definite split in the Democratic Party, Broderick entering into alliance with Bigler and pronouncing against the Southern chivalry. It was a sordid campaign, resulting in the re-election of Governor Bigler. Gloomy views were entertained by

the independent press: events were hastening to the time of purging at the hands of the great Committee of Vigilance.

The Know-Nothing Party

The Democratic State Convention of July, 1854, at Sacramento, was one of the most dramatic episodes in western politics. The Broderick faction declared Ned McGowan chairman, while John McDougal was simultaneously named by the Gwin faction. Pistols and bowie knives were in evidence; but fortunately no blood was shed. On the following day there were two conventions instead of one; each selected its own candidates. It was not until the ominous increase of the Know-Nothings pointedly suggested the necessity of united action that the two wings were re-united. The first organization of the Know-Nothing (American) Party occurred early in the same year. Because of the strong sentiment against foreigners, manifested even in early mining days, Know-Nothingism spread with great rapidity to almost every town and mining camp in the state. Working with the utmost secrecy, it sought to conceal its very existence. Its principles—except opposition to the old parties and perhaps the general tradition of Americanism—were known to but few. The usual campaign methods calculated to excite public interest were conspicuously absent: the more subtle methods employed proved highly effective.

The Know-Nothings were successful in the San Francisco local election; and although the organization did not openly participate in the state campaign it did wield considerable influence in the September election. The Whig party virtually disbanded in 1855: the Know-Nothings had "swallowed the Whigs at one mouthful." The irresistible tide of Americanism swept Neely Johnson into the office of governor. The governorship, however, was

by no means esteemed the highest political prize in California: far above this office shone that of the United States senatorship. The real storm center during 1855-56 was the contest for the senatorial toga.

Failing to elect a successor to Frémont in 1851, the State Legislature finally, in January, 1852, elected John B. Weller to the United States Senate. Gwin's term expired March 4, 1855, and because of Broderick's power he was left for a time without office. His generous bestowal of national patronage upon personal adherents from the South irked not only Broderick but all Northerners.

Gwin and Broderick

The political rivalry of Gwin and Broderick, both of whom had come to California in response to the definite promptings of political ambition, has perhaps never been exceeded in intensity and bitterness. Gwin, standing more than six feet in height, was a stately personage, with agreeable mien, and the courtliness of a Southern gentleman. His followers were known as the Chivalry Wing, or "Chivs," many of them holding pronounced pro-slavery views, while their leader had been dubbed the "arch-champion of the slave-holding interests in California." Broderick was well schooled in the arts of Tammany Hall, possessing a remarkable aptitude for dominating men's minds, with imperturbable determination and a personal ambition that on occasion swept aside with contemptuous disregard the methods and ideals of others.

Having made himself political master of San Francisco and built up a powerful machine in the state, Broderick had attempted to force the election of a successor to Gwin in 1854,—a year before the normal date,—and he had almost succeeded: but in the end the maneuver had failed—the election had been deferred. Beaten back

only temporarily, he renewed his ruthless struggle for supremacy and brought about a deadlock continuing through thirty-eight ballots. Gwin's seat was left vacant. When in the Legislature of 1856 the Know-Nothings came to hold a majority—and therefore the power to name the senator—Broderick, by dint of incessant activity and shrewd maneuvering was rewarded by the third adjournment with no successor to Gwin yet selected. However, the American victory of 1855 had ruined his own chances of immediate success, and the Vigilantes of '56 demolished his political structure, for to him the great Committee was a "double-edged blade."

In 1856 there were three parties in California, the newest arrival being the Republicans. Weller's term ending in March, 1857, both United States senators were to be elected. Broderick sought the six-year term, the other aspirants including Weller, Milton S. Latham, James A. McDougall, Stephen J. Field, and Gwin. The political situation at Sacramento was moving and colorful. While there was no taint of base venality in the fierce struggle, every other motive and every other practice known to California politics was called into play. For a time Broderick held himself arrogantly aloof from the deadlock over the short-term contest; but at length, after extorting an agreement from his rival which meant a virtual monopoly of the federal patronage for himself, he decided to support Gwin, whose election was effected three days after his own. He returned to San Francisco a conquering hero.

In spite of Gwin's protestations of voluntary renunciation of federal patronage, the "Chivs" were vehement in their denunciation. The old feud was soon to be reopened, for lasting friendships do not rest on such insecure foundations; tragic was to be its end.

Practical politics in California had descended to a low

estate. But the sudden emergence of the civic mind and the organization of the great Vigilance Committee saved the state from sheer anarchy and lynch law in bestowing its beneficent spirit upon other agencies and in bringing about an astonishing social renovation. The American Party suffered a collapse equally as sudden as had been its meteoric rise: the party machinery had fallen into the hands of unprincipled men, and Know-Nothingism in California went to pieces. The People's Party fell heir to the spirit and principles of Vigilance, introducing in its turn a new era into politics: integrity and ability were made the sole tests for candidates—questions of religion, nationality, and partisanship now being virtually ignored. The improved government, particularly in San Francisco, was, however, a product not so much of the activity of the new party, as such, as of the social renovation that preceded it.

In the meantime Buchanan had obtained California's electoral vote over Frémont (Republican) in the presidential election of 1856; and in the following year the gubernatorial campaign resulted in seating Weller, Frémont's successor in the Senate, as governor.

Broderick's senatorial career was short and bitterly disappointing. A "lone, strange, extraordinary man," he was amazed at the attention shown Gwin and incensed at the frigid attitude of President Buchanan. He learned to his sorrow that his "free-state democracy" was without standing at the White House as well as in the Senate. His tactless manner cost him his federal patronage. He found himself opposed to the President and his party, condemned even by his own legislature for disobedience to instructions. Despite his ranging himself with Douglas and popular sovereignty and Seward's tribute as "the brave young senator," he was a doomed man.

The Terry-Broderick Duel

In 1859 David S. Terry, unsuccessful candidate in the Lecompton Convention for renomination to the state supreme bench, made caustic reference to Broderick and the Douglas Democrats, suggesting that they sailed "under the flag of Douglas, but it is the banner of the black Douglass, whose name is Frederick, not Stephen." Reading an account of Terry's speech a few days later, Broderick made statements to D. W. Perley, a friend of Terry, which resulted in an altercation and led to Perley's demand for satisfaction. Broderick declined the challenge on the grounds that Perley was a British subject, that the publicity given the incident made it impossible to accept, and that he could not afford to descend to a violation of the constitution to subserve any such purpose, adding that if compelled to accept a challenge to a duel "it could only be with a gentleman holding a position equally elevated and responsible."

The fierce campaign was scarcely concluded when Terry resigned from the supreme bench and demanded a retraction from Broderick. In the early morning of September 13 the principals of the most memorable duel in California politics met in San Mateo County, in the presence of some fifty spectators. Terry's shot took effect in his adversary's breast:—in a moment Broderick fell, mortally wounded. Three days later he died, "in his fortieth year, in the full vigor of life's prime, in the height of his own marked career." In death Broderick's faults were forgotten, his errors expiated—he was lionized beyond measure. And thus at length, the dominant political element at Washington and in California was rid of one of the most forceful and uncompromising characters in all our history. Wholly out of sympathy with the dominant wing of Democracy, yet not quite a

Republican, Broderick observed many of his friends and admirers come out openly under the Republican banner and witnessed the virtual surrender of his own loved party to the element he loathed. Death spared him the "saddest sequel" of being completely excluded from the administration—doubtless it tended to speed the day of Republican triumph by the election of Lincoln in 1860. Henry P. Haun (Democrat) was appointed by Governor Weller to succeed Broderick in the United States Senate.

The Campaign of 1860

In 1859 Milton T. Latham, Lecompton Democrat, was elected governor over Judge John Currey, anti-Lecomptonite, and Leland Stanford, Republican. On the day following his inauguration (January 9, 1860) Latham was elected to Broderick's seat in the Senate: John G. Downey, Lieutenant-Governor, succeeded to the governorship. The Legislature of 1860 was the last session to be dominated by the chivalry wing of the Democrats.

The presidential campaign of 1860 was of more than ordinary significance in the political history of California; it was as vigorous as it was memorable. The Republican Convention met at Sacramento June 20 to nominate presidential electors. The movement to bring together the two wings of Democracy proved futile, Stephen A. Douglas, standard bearer of the Northern faction, being equally as obnoxious to the South as a Republican could be. News of the split in the Democratic National Convention, and of the nominations of Breckinridge and Douglas, created the greatest excitement in California. Governor Downey announced himself for Douglas: Weller took his stand for Breckinridge, along with Gwin and Latham. Thus the respective factions met in convention in September. Meanwhile another convention met in the interest of John Bell of the Union Party. The

November election gave Lincoln California's four electoral votes, though by a slender majority over the Douglas electors. Breckinridge was a good third. The effect of Lincoln's election is known to all the world.

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Chapter XXXIII

LAND TITLES AND SQUATTERISM

UNDER the Spanish régime newly discovered lands were regarded as the peculiar possession of the monarch. Colonists were comparable to government employees, engaged in government enterprise, having legal claim to nothing beyond subsistence. Later there arose the necessity of establishing laws authorizing private ownership in land. By 1790 there were nineteen private ranchos in Alta California, although there was not absolute and complete ownership. In 1824 the Mexican Congress enacted a general colonization law opening certain possessions to foreigners.

Land Grants and Titles

The formal grant gradually superseded the concession. Mission lands were closed to colonization in 1828, to be reopened a little later, however, by virtue of secularization. Foreigners who became naturalized Mexican citizens were permitted grants on a lenient and generous basis: between 1833 and 1846 many large land grants, measured in terms of square leagues, were bestowed upon such persons, mostly Americans, the average expense to the grantee not exceeding twelve dollars. Following the actual conquest some dissatisfaction was expressed with the lax methods of land surveys.

The Treaty of Guadalupe Hidalgo guaranteed to resident Mexicans protection and security, in the "free enjoyment of their liberty, property and religion." There were then in California two classes of land claims, the first consisting of perfect titles, the other consisting of

claims in equity with no fully consummated title,—denominated by Judge John Currey as "incipient, inchoate, or imperfect grants or titles." To those of the latter class the Mexican government had held legal title. The transition to American control occasioned much confusion, especially regarding these titles. It thus became encumbent on the United States to provide means of locating and confirming land claims of an equitable character and finally to "grant legal titles therefor to the persons entitled in equity to such lands."

Enter the Squatter

Conditions in early California were particularly favorable to squatterism. Knowing little or nothing about the nature of Mexican claims, many immigrants quite naturally looked upon unoccupied lands as government property. In their careless reasoning it was an easy step to claim as their own the produce of the land and the stray cattle by the simple act of appropriation. Some immigrants roamed about the country at will, almost living in their wagons, picking up unbranded calves as a chief means of livelihood. In a short time great numbers of squatters were to be found in various parts of the state:—with squatters, possession was at least nine points in the law. Scant regard had they for legal technicalities,—they did not hesitate to challenge the most ancient land titles in Alta California. They became particularly active at the leading commercial centers in seizing upon lots with a haughty disregard of all nice questions of legal ownership.

William Carey Jones

In 1849 the Secretary of the Interior appointed William Carey Jones, a son-in-law of Senator Benton, to the delicate task of investigating the validity of land

grants, with a view to determining what portion of the territory fell under Congressional jurisdiction. The main conclusions of his report of May, 1850, were quite out of harmony with the wishes of the squatters. He found that the great majority of the Mexican grants had been made in conformity with the law and were, in short, perfect titles, "equivalent to patents from our own government." Even where technical evidences of title were insufficient, long and continuous occupation was held to establish title.

Viewed from the standpoint of the American pioneer, however, it was deemed intolerable that "a few hundred despised Mexicans" should maintain control of vast tracts of the most desired lands to the exclusion of the *bona fide* farmer. What right had the Vallejos, the Arguellos, or even Captain Sutter to great estates of eleven or more leagues,—estates savoring of effete aristocracy that should not be countenanced? Did not the land rightly belong to "the hardy men who had faced the dangers of desert and sierra" and brought American institutions and laws to California?

Riots at Sacramento

Squatters were very numerous in the Sacramento Valley and especially in and about the bustling new city of Sacramento. When Sam Brannan and other business men and speculators took measures to oust them, their leaders promptly responded with a statement to the effect that the land was presumed to be public land and that any settler would be protected. For the time being nothing but superior force would serve to dislodge the resolute squatter who had seized a vacant lot, built a "ribbon fence" around it, and erected a flimsy shanty—all during the hours of a single night. Inevitable conflict was just ahead: squatter riots became inevitable. The crisis came

August 14, 1850, when a body of forty fully armed squatters attempted to regain possession of a lot which one of their party had recently occupied. The mayor, who had asked the aid of all good citizens in suppressing the riot, ordered the squatters to give up their arms and disperse: this they refused to do, and in the mêlée that followed the mayor fell, dangerously wounded. Several deaths were reported. Martial law was declared, a detachment of troops was ordered up from Benicia and an extraordinary police force of 500 summoned for duty. In the hectic days that followed Sheriff Joseph McKinney was shot and mortally wounded, and several squatters were killed. On August 16 two military companies arrived from San Francisco, placing themselves under command of General A. M. Winn. Two days later a proclamation was issued indicating that peace and good order had been restored and that the strongly guarded city was safe from attack. Squatterism had been dealt a death blow so far as concerned city property.

Squatting had commenced at an early date in and about San Francisco; and the practice was not wholly discontinued until land titles were authoritatively settled by court decisions. Scarcely any part of the city and county was wholly exempt from seizure at some time by squatters. Some of the victims of the great fire of 1851 commenced fencing their desolated lots while yet the ashes emitted a heat that was almost suffocating,—the explanation being that it was expedient in order to prevent their lots from being "jumped."

The Limantour Claim

One of the most astounding claims to land in the annals of California must receive brief notice. In 1853 José Y. Limantour, a French resident of Mexico, came forward with a claim to something like 600,000 acres of

land, including a number of important islands and four square leagues in and adjoining the city of San Francisco. A decade previous to this time the Frenchman had given aid to Governor Micheltorena,—of short and troublous career,—who had signed the grants. Citizens were disposed rather nonchalantly to regard the claims as attempted blackmail; but when they were upheld by the Federal Land Commission, there was genuine alarm, especially since the presidio lands, the custom house, the mint, and other government property were imperilled. In the end, however, forgery was established, the claims were adjudged fraudulent by the Federal District Court, and the chief perpetrator was ordered arrested. Limantour deposited a $30,000 bond, which he forfeited, fleeing the country for Mexico. The claims were pronounced by the Attorney-General of the United States "the most stupendous fraud—the greatest in atrocity as well as in magnitude—ever perpetrated since the beginning of the world."

Of somewhat similar character was the Santillian claim to three square leagues within the confines of San Francisco, which—to the consternation of property owners and government officials—was confirmed. However, an appeal to the United States Supreme Court was promptly entered; and the able presentation of the case by Nathaniel Bennett, sustained by an aroused public opinion, finally secured the rejection of the claim, which had been sold by a priest named José Santillian to a company called the "Philadelphia Association," and which was invalidated as a forgery.

Very naturally squatting came to be practiced in the mining regions. The restless prospector, always eager for a "big strike," could hardly expect to leave his claim for a month and return to find it still unoccupied. In the case of an unworked claim, if written notice of owner-

ship with boundary stakes were omitted, another miner might claim the right to "jump" it,—that is, he proceeded to squat there.

That all squatters were rascals or scoundrels is far from the truth. If there was a fair presumption that a certain spot was not actually included in a grant, it might be accounted a virtue in a settler to take possession and begin its development. It was notorious that accurate surveys of grants did not exist; such boundary marks as had been set up were usually inaccurate, often of extremely temporary character. Thus in the act of judicial possession of Rancho San José we read: "A large oak was taken as a boundary, in which was placed the head of a beef and some of the limbs chopped." Sometimes the owner's cattle brand was burned into the tree. Such marks were quickly obliterated; the search for their former location occasioned much trouble. Further confusion arose because of numerous duplications and conflicts in the names of grants. Pre-American Californians did not build line fences, nor quarrel about boundaries: —why should they? Land was exceedingly plentiful and of very slight value.

The "professional squatter" was not long in putting in his appearance. The practice of squatting was frequently resorted to for purposes of speculation. Unscrupulous men hired themselves out for the sole purpose of gaining and holding possession of coveted land, the usual squatting implements being blankets and firearms. Such practices represented the sordid side of squatterism.

The Squatter a Political Factor

The squatter became a significant political factor,—his vote was eagerly sought. In 1854 Governor Bigler's message dwelt upon the condition of the state, referring to "that enterprising and useful portion of our people"—the squatters. As they multiplied in numbers the poli-

ticians evinced increasing solicitude for their welfare: even the judiciary was not entirely free from the dubious and at times sinister influence. In 1856 there was passed an astounding statute entitled an "act for the protection of actual settlers and to quiet land titles in this state," which provided that "all lands in the state were to be deemed and regarded as public until the legal title should be shown to have passed to private parties." Any bad effects that this act, which was extremely favorable to the settler, might have had were forestalled by a prompt pronouncement of unconstitutionality by the State Supreme Court.

National Land Act

The most important phase of the land question remains to be noted,—that is the relationship existing between state and nation. The United States survey of California was commenced in 1851: a monument was fixed on Mount Diablo as a point of beginning for a base line. Large amounts of federal land were taken up by pre-emption claimants within a few years. California itself became a gigantic land dealer: the state was granted 500,000 acres, in addition to two sections in each township to be used for school purposes. Many purchasers were attracted by the low prices, and by 1860 nearly all available school land had been sold.

The Congressional act of March, 1851 ("to ascertain and settle the private land claims in the State of California") provided for the creation of a board of commissioners authorized to receive petitions for the private land claims and to pass upon their validity. All claimants failing to present their claims within two years were to be penalized by having their lands held to be "a part of the public domain of the United States." Notwithstanding the fact that the United States Supreme Court upheld the constitutionality of these provisions, the

decision was cogently combated by Justice John Currey of the California Supreme Court, contending that it was supported neither on principle nor by authority. In the case of Boteller et al against Dominguez it was brought out that at the time of the Mexican cession the defendant had a perfect title to the tract Las Virgenes; but failing to submit title to the commissioners, the tract became a part of the public domain.

It is not difficult to understand the feeling that was rife,—echoes of which have not even yet wholly died out, —that numerous original owners of California lands, guaranteed protection by the United States, were mistreated, subjected to embarrassment and indignity, and in some instances actually despoiled by the harassing activities of squatters and squatter lawyers, and even by the government itself. The old California rancheros belonged to an earlier régime—they were no match for the "sharpers," who engaged in questionable practices, such as loaning money at ridiculously high rates, taking mortgages to secure the loans, and actual spoliation under the guise of purchasing the property on foreclosure judgment. It cannot be doubted that fortunes not a few thus tainted with fraud were built up by designing, unworthy Americans.

Even where fraud was not practiced the proceedings required to clear title were utterly baffling to the average ranchero, and likewise unconscionably drawn-out and ruinously expensive. In many instances valuable properties thus passed into the hands of shrewd attorneys. Here it was that some of the later evils growing out of large land holdings in California found their inception.

The Land Commission and the Courts

The land commission (Hiland Hall, Harry I. Thornton, James Wilson) opened its sessions in San Francisco,

January 2, 1852. On March 3, 1856, it finally adjourned, having meanwhile undergone a complete change of personnel. Claimants in southern California were seriously handicapped by distance from the place of sessions. Some of the grantees were compelled to wait long to have their patents recorded. The patent for the Simi grant, to cite an extreme instance, was twenty-four and a half years old when finally received. It was more than ten years after the Treaty of 1848 before the United States confirmed the title to any grant; it is recorded that before one certain claimant could call his land his own he was compelled to wait thirty-five years! Particular importance attached to the confirmation of the title of the city of Los Angeles of the old pueblo lands, since on this rested the titles of many persons holding under grants from the pueblo. A tract of some 17,000 acres claimed by the city under a Mexican grant of 1844 was signed by President Johnson in 1866.

A noteworthy result of the long controversies and extended litigation was the segregation of vast holdings in the hands of certain successful lawyers and investment bankers who had advanced money or mobilized credit to their own aggrandizement. The crude practice of squatterism inevitably grew less and at length virtually disappeared: in the meantime there was growing up in California a form of land monopoly of more sinister import, from the deleterious effects of which the state cannot even yet claim to be entirely free.

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Chapter XXXIV

THE FILIBUSTERS

THE name filibusters, at first a term of opprobrium, came to be applied to groups of men, originating in the United States, with the ostensible object of the freeing of outside territory from European control. When successful the filibuster was acclaimed a hero: in case of failure he was branded a villain and punished as an outlaw. The acquisition of Texas has sometimes been referred to as the most outstanding result of filibustering expeditions.

One of the less frequently observed effects of the great gold discovery and its concomitants was the fostering of expeditions from San Francisco and other points in quest of Hispanic-American lands. The voice of American expansionism was not wholly silenced by the treaty of Guadalupe Hidalgo: manifest destiny seemed calling "for the further extension of American democracy, American institutions, and American rule."

Filibuster and *Empresario*

The filibuster is not to be confused with the early *empresario,* who entered into contract with the Mexican government to introduce a definite number of families into the territory as colonists,—significant in the revolution of Texas but of slight moment in California history. Filibusterism involved a lawless aggression in the form of military expeditions into foreign territory. California was especially prolific in such expeditions, stimulated by unsettled conditions, the presence of disappointed or unemployed adventurers, and the lack of good communica-

tion with the East. Bold spirits were impelled to fare forth by the conviction that destiny beckoned the United States into new lands; men of Southern chivalry yearned for new areas for the spread of slavery. Indeed, it seems likely that the annexation of the northern states of Mexico was prevented only because of the rising storm of the slavery dispute. The forces underlying filibustering activities in the decade of the 'fifties were varied and complex, to be interpreted in the light of the intricate, dynamic politico-economic situation; but for most part they contemplated the revolutionizing of the Mexican states of Sonora and Lower California.

The first filibustering expedition led out of California after its admission to statehood was conducted in 1851 by Alexander Bell, who planned to reinstate the deposed president of Ecuador. Before reaching Quito, however, the rival factions of the country composed their differences, uniting in the desire to rid their country of the Americans. Bell was sent back to Panamá, where his party was stranded,—the expedition proved to be a fiasco. Joseph C. Morehead's attempt in Baja California proved equally futile.

Charles de Pindray

In the early days of California's statehood probably every tenth man was a Frenchman. The large French element comprised, in addition to men naturally attracted by the prospects of gold and other economic opportunities, a number of hardy adventurers who took their leave of France as a result of the revolutionary movements of 1848. Among these were some of aristocratic birth. Excellent material was found for the personnel of daring and venturesome leadership among the clannish French for plans of colonization in Mexico. Three such leaders may be mentioned here,—Marquis Charles de Pindray,

Lepine de Sigondis, and Count Gaston de Raousset-Boulbon.

De Pindray, of noble blood, was a handsome cavalier of giant strength and unusually skilled in handling weapons. Accepting the offer of the Mexican Government, he raised a company of volunteers to protect the Sonoran mines against the Apaches, for which service his men were to receive valuable lands to form a buffer colony. On the day after Christmas, 1851, he landed at Guaymas with 140 Frenchmen, where they were greeted with manifestations of joy and gratitude. With his forces augmented by some natives, De Pindray proceeded to Arispe, then began the arduous march across the desert for the gold mines of Arizona. The task presented unsuspected difficulties; internal dissension developed, likewise ill-feeling between the Mexicans and the French. Illness of the leader halted the expedition; and a little later De Pindray was found dead, shot through the head. Straggling back to the coast, the survivors of the disastrous attempt encountered another expedition of their countrymen under Raousset-Boulbon, another expatriated Frenchman. Meanwhile De Sigondis had organized a company and started for Sonora. This enterprise, enlisting some sixty men, was narrowly conceived on the sole basis of the accumulation of wealth, proved fruitless, and the organization itself fell to pieces.

Raousset-Boulbon

Greatest among French filibusters was Raousset-Boulbon, aptly nicknamed "Little Wolf." He was characterized by marked versatility, abounding energy, and great personal courage: well educated and not without idealism, it must be confessed he was given to prodigality and hedonic gratification. Coming to California in 1850 to seek his fortune, he met with but slender suc-

cess in his numerous jobs, yet contrived to carry the air of leadership, especially among his compatriots. With an eye on the rich mines of Sonora he promoted a colonization enterprise in which Patrice Dillon, French consul at San Francisco, became much interested. He perceived that success was conditioned upon influential backing. Dillon, himself a filibuster at heart, became enthusiastic over the prospect of forming a buffer colony to checkmate the further advance of the United States. He effected the organization of *La Restauradora,* in February, 1852, obtaining desired concessions in Sonora. Under-written by a banking house, both the French minister and the Mexican governor became financially interested.

With high hopes and glittering prospects the French count sailed for Guaymas with 150 men, on May 19, 1852. Despite an enthusiastic welcome, feelings of jealousy manifested themselves in the form of a rival organization, to which Miguel Blanco, Captain-General of Sonora, had been won over. Blanco, whose word was law, placed obstacles in the Frenchman's way. After a month's irksome delay at Guaymas, the Count ventured to ignore the stipulations that he must proceed to the interior by a circuitous route: difficulties overtook him and trouble was his constant companion. Nevertheless he reached Santa Ana in August, with good prospects of attaining his goal, when he received peremptory orders from Blanco to report to him in person at Arispe, more than a hundred miles away! Instead, two officers were sent; and when confronted with three courses laid down by the doughty general, Raousset had the temerity to reject them *in toto,* thus making his company in effect armed enemies of the Mexican Government.

Then follows a period of organizing a rebellion and

preparation for hostilities. A declaration of independence was issued September 21. After the capture of Hermosillo by a Pyrrhic victory, the Count realized his condition of isolation and reluctantly decided to retreat to Guaymas. Suffering from a critical illness, his forces divided, he was at length summoned to return to San Francisco, where in spite of his serious reverses he was accorded a demonstrative welcome. It is unnecessary to detail his second expedition. Success seemed almost assured when his hopes were dashed by the report that President Santa Anna had sold Sonora to the United States. Raousset was unwilling to credit the report, but it alarmed his financial backers, who thereupon refused to advance the necessary funds. The report had its basis in the negotiations for a strip of land known as Gadsden's Purchase. This strip, lying on the southerly side of the boundary and extending from the gulf to the Rio Grande and embracing more than 45,000 square miles, became a part of the United States June 30, 1854. The consideration was $10,000,000, and the territory constitutes the southern portion of Arizona and New Mexico.

William Walker

The chief of all California filibusters was William Walker, one of the most dramatic figures in our entire history. A native of Kentucky, he was of restless nature but studious mind. Completing his medical studies in the University of Pennsylvania, he went to Paris to continue his studies, then spent a year in visiting various European cities. He did not find the practice of medicine to his liking, nor did he have aptitude for the law. After a short journalistic career, and several personal disappointments, he became a California Argonaut, arriving in San Francisco in June, 1850. Here he again ventured upon

journalism, but his caustic pen sent him to jail. During 1851-52 he engaged in law practice at Marysville, one of his colleagues being Stephen J. Field.

Thrilling accounts of French colonization in Mexico fired him with a passion to venture into a new field,—that passion made William Walker "the grey-eyed man of destiny," arch-filibuster of California. Meeting rebuff in his overtures to the French Count, he proceeded to form plans of his own. Interest in his project deepened and support came from certain influential men in Washington. Viewing the situation with alarm, Santa Anna asked for a new expedition of Frenchmen for the purpose of nullifying the American filibuster's plans. Raousset's self-confidence was again restored; he became "thoroughly convinced that the colony he was about to found in Mexico would be the starting point of the domination of France in that country." But misfortune was to be his lot. When he finally reached Guaymas, he met resistance instead of welcome. The pitiable remnant of his forces was demoralized, and he was compelled to surrender. Tried on a charge of conspiracy and rebellion, he was convicted and finally executed in August, 1854. The failure of this courageous and ambitious but tactless adventurer marked the end to French plans in California for gaining a foothold in Sonora.

Walker's ambition was to bring about the independence of Sonora and Lower California for ultimate annexation to his own country, thus affording a new era for the extension of slavery. His unquestioning belief in his own destiny quite carried him away. His physique was far from impressive, being described as "a small, red-haired, white-eyed man, freckled-face, slow of speech," below medium height, and weighing scarcely more than a hundred pounds. Resolved to carry his colonization scheme into effect, he opened a recruiting office in San Francisco,

which was very generally patronized; hundreds bought the scrip, to be redeemable in Sonora lands.

Eluding government officials, he left on the *Caroline* with forty-eight followers, landing at La Paz, where he was reenforced by 200 men. He proclaimed the free and independent "Republic of Lower California," extending over it the laws of Louisiana. This republic of a moment was quickly abolished, however, and the "Republic of Sonora," consisting of the states of Lower California and Sonora, proclaimed, with himself president. Reports of his activities brought him immense popularity in California. The flag of the new republic waved over the enlistment office and bonds found ready market. Filibusterism became a synonym for pioneer progress.

Reverses came soon enough. The natives resisted the foraging expeditions of the Americans, and seeds of discontent were sown in the ranks, followed by numerous desertions. To make matters worse, the punishment of deserters added to the growing unpopularity and disintegration. When ready to start for Sonora Walker's force numbered but a hundred men; on reaching the Colorado, only thirty-five. Forced to the decision to abandon the project, his pitiful remnant finally reached the boundary near Tia Juana in May, 1854, and there surrendered to the United States authorities. Being tried on a charge of violating the neutrality laws of the nation, Walker was finally acquitted, when he resumed the practice of the law,—but not for long. Filibusterism had become a permanent obsession.

His new objective was Central America—revolution in Nicaragua prepared the ground. One of the factions conceived the idea that with Walker's aid success would be certain,—Walker lent a willing ear to their entreaties. On May 3, 1855, he set sail with sixty enlisted men. Putting himself promptly in control of the situation, he

declared himself President of Nicaragua. There was extensive recruiting propaganda among slavery advocates at various points. The arch-filibuster was in the heydey of his power. But he over-reached, proposing "to manage things to suit himself," even proclaiming a reversal of the Nicaraguan anti-slavery laws, which had existed for a generation. A series of revolts was the sad sequel, followed by actual declaration of war against the generalissimo. Unable to stem the tide of racial antipathy, he was compelled to surrender, in May, 1857, and to leave his Republic of Nicaragua after a sojourn of two years.

Walker's third undertaking was from Mobile, Alabama; but his surrender was quickly forced and he was returned to the United States. His fourth and final expedition was organized in New Orleans. He landed in Honduras, hoping to proceed to Nicaragua. Serious difficulties constrained him to surrender to a British captain, who delivered him up to the Honduran authorities. Tried by court martial, he was found guilty and was shot, September 12, 1860. Thus ended the career of the chief of California filibusters, an erratic and picturesque character, without doubt, but withal a personage possessing much of the strength and attractiveness and revealing not a little of the deeper currents of the life of his time.

Henry A. Crabb

The only other California filibuster of prominence was Henry A. Crabb, a resident of Stockton. Interested in securing new areas for the propagation of slavery, he was successful in enlisting a following for a filibustering enterprise in Nicaragua. His expedition sailed from New Orleans in January, 1855. A little later, however, he gave up his leadership in this expedition for an opportunity to enter politics. In 1857 he organized the

Arizona Colonization Company, with Sonora as his objective, having married into a prominent Sonoran family. "General" Crabb outfitted his expedition in Los Angeles and El Monte, thence proceeding overland *via* San Gorgonio Pass and Yuma to Sonora. It was the old story,—leaders of rival factions got together and turned against the foreigner. His forces being badly shattered, Crabb surrendered to the Mexican commander, only to be treacherously and brutally executed.

With this melancholy and tragic episode filibustering expeditions from California finally ceased. Illustrative of interesting phases of southwestern history, abounding in colorful details and not devoid of grandeur, such enterprises undoubtedly proved unfortunate as touching the subsequent relations between the United States and Mexico. Instead of inducing the border states to break the feeble ties that held them to the Mexican government, the people were led to believe "that their property titles, especially to land, would not be respected by their new rulers." With the outbreak of the Civil War in 1861 and the establishment of stable order in California, the chief motives for filibusterism ceased to operate.

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Chapter XXXV

FORERUNNERS OF THE RAILROAD

OBVIOUSLY one of the greatest needs of California during the gold days and the period of early statehood was better transportation and communication. To the vanguard of the Argonauts the United States seemed so far away as to be almost like a distant planet! Under favorable conditions it required a hundred days to complete the 2,000-mile journey across the plains in a prairie schooner—but how seldom were conditions favorable!

Mule Trains

Previous to the American régime the slow-moving Mexican pack train of mules was the familiar means of land transportation. The useful saddle-horse was always at hand. There was of course nothing even remotely resembling a modern road. The use of the pack train was multiplied with the advent of the Americans,—regular routes were established and roads developed, extending, within a few years, to the remote northern mines and even into Oregon. By 1851 a monthly mail was established between Sacramento and Salt Lake City, mules being used for transportation over the 750-mile route. Within the state the crude ferries gradually gave way to bridges, of which more than a hundred were in use by the close of 1856.

The Emigrant Wagon

The wagon has been a potent factor in extending Anglo-Saxon civilization westward in America. The typical freight wagon on the early Santa Fé Trail, drawn

by eight mules or oxen, had a capacity of approximately one and a half tons. Later the term prairie schooner was applied to stoutly-built wagons of almost double that capacity. The average distance traversed daily for a caravan of some twenty-five wagons was seventeen or eighteen miles.

While the Chiles-Walker party of 1843 brought wheeled wagons into the present borders of California, these had to be abandoned in the Inyo country, east of the Sierra Nevada. The Stevens-Murphy company of 1844 brought the first overland wagons into the great valley—these, however, being left in the mountains under the snow till the following spring. During the succeeding years the covered wagon—fit symbol of the westward movement—found more and more frequent entrance into California, culminating in the mighty on-coming of the myriads of wheeled vehicles of the gold rush. Thus did the prairie schooner—whether a "Pioneer Palace Car" or an unsung and ignominious cart—play its part in the demand for continental boundaries for the nation—a demand that proved irresistible.

The Overland Mail

During the early American period there was constant agitation for overland mail service as well as passenger and express transportation: nevertheless it was several years before regular mail service was established beyond the inter-mountain region. At Washington it was imagined that a land route to the distant coast was impracticable.

However, one enterprise after another—most of them the result of private initiative—was launched, some of them combining passenger lines with the overland mail. The Great Salt Lake Carrying Company planned to transport freight as well as passengers to California, the

fare to Sutter's Fort being $300, and the tariff on merchandise $250 per ton. Meanwhile the military authorities had dispatched Kit Carson, April 17, 1848, with what is believed to be the first United States mail to be carried overland from Pacific to Atlantic. The old emigrant route, over which the California-Utah mail was carried in the early 'fifties, started at Sacramento and passed through Folsom, Placerville, Hope Valley, Carson Valley, along the Humboldt River, into southern Idaho, thence around the north side of Great Salt Lake, to Salt Lake City. This route across the Sierra Nevada was impassable during winter months: in 1854 it was changed to end at San Diego over the Mormon Trail; and George Chorpenning, whose story of carrying the first overland mail east is a thrilling tale, was awarded the contract. The service continued four years with a fair degree of regularity, the saddle horse being on the whole the most dependable means of transport.

The Stage Coach

During mining days Sacramento—as has already been indicated—was the center for many stage companies. One of the most important was operated between "Hangtown" and Salt Lake City, there connecting with the overland mail to St. Louis. In 1850 a stage service was established between San José and San Francisco, nine hours being required for the forty-five mile run. For a time the regular fare was two ounces; but even so, passengers complained of "a little pedestrian exercise" during the wet season; and the following winter the stages were withdrawn. In 1853 a dozen lines were in operation between mining centers, with quotas of coaches and needed relays of horses. The stage likewise came gradually into use in southern California,—a vast advance over the clumsy Mexican *carreta*. But it was some years be-

fore there was a semi-monthly stage coach operating between San Francisco and Los Angeles; and not until 1867 did Phineas Banning establish stage connection between Los Angeles and Wilmington, at the beach.

Numerous enterprises were launched to establish transportation lines between Missouri River points and the Pacific. In 1855 a bill was introduced in the United States Senate, authorizing the Postmaster-General to contract for a weekly mail service in four-horse coaches; but it was more than two years before the bill was passed and in operation. Meanwhile the Pacific Railroad project seemed almost hopelessly involved, and interested Californians ceased not in their clamor for better transportation and for a daily overland mail. The Post Office Appropriation Bill was approved in March, 1857, authorizing a letter mail from the Mississippi River to San Francisco, and requiring "the service to be performed with good four-horse coaches or spring wagons, suitable for the conveyance of passengers, as well as for the safety and security of the mails." The selection of a southern route, roughly describing a semi-circle from St. Louis to San Francisco, was the signal for a storm of criticism.

John Butterfield, the successful bidder, started his stages in September, 1858. The first east-bound coach, with postal inspector and five other passengers, covered the entire distance between San Francisco and Tipton, Missouri (close to 2,800 miles), in twenty-four days, eighteen hours, twenty-six minutes. The schedule called for an average speed of five miles an hour, day and night, fresh horses being in waiting at approximately ten-mile intervals. The passenger fare from St. Louis to San Francisco was $200, passengers having the option of purchasing their meals at stations or themselves preparing them,—scant attention did they receive at the hands

of station men or drivers. The standard coach, a well-tested vehicle made in New Hampshire, had a capacity of fourteen passengers.

Despite the initial enthusiasm with which President Buchanan and the Postmaster-General greeted the overland mail, the actual experience of a single year showed the Butterfield project to be an expensive financial venture, and the Postmaster-General was convinced that an overland mail was "wholly impracticable" until a railroad should be constructed. Such service—and there were numerous attempts to solve the serious transportation and communication problems—could be justified solely upon national grounds. These attempts must be regarded as forerunners of the transcontinental railroad.

A graceful tribute has been paid those courtly and gallant "knights of the rein" by Major Ben C. Truman: the stage drivers in the Sierra Nevada Mountains were "the handsomest and most picturesque," "the best and most fearless whips that drove the best stage horses in the United States." "Hank" Monk, George Monroe, "Baldy" Hamilton, "Buffalo" Jim, "Buck" Jones, "Curley" Bill, "Old" Jim Haworth, "Uncle" Billy Mayhew, and others of the clan were almost affectionately regarded by travelers,—men who "read the Sacramento *Union* religiously and swore by Wells, Fargo and Company." To these chevaliers stage driving had become an exact science as it was also a fine art.

Ships of the Desert

One of the most novel experiments in transportation for California and the Southwest is seen in the "camel corps," recommended by Secretary of War Jefferson Davis, after exhaustive investigation by Major Henry C. Wayne, and authorized by Congress. If camels could be so successfully used in the desert regions of Africa and

Asia, why not in the Great American Desert and against hostile Indians? It was urged that a "lightning dromedary express" could make the trip to California in fifteen days!

In February, 1857, the store ship *Supply* landed at Indianola, Texas, its unique cargo of seventy-five camels and two imported drivers. On the 8th of the following January the entire population of Los Angeles turned out to witness the entrance of the first camel caravan, which had been ordered to Fort Tejon, where Lieutenant Edward F. Beale maintained headquarters. Several trips were made between the Fort and Albuquerque, other camels being used to transport freight in Texas and the Gadsden Purchase.

For a time the experiment with camel corps gave real promise of success,—a regular caravan system was put into operation. But it proved to be a short-lived institution, ending in complete and costly failure. The "ships of the desert" failed to become inured to harsh and rugged trails of Arizona and Nevada; but—what is worse—they were as unpopular with the soldiers and "mule-whackers" as with the horses and mules. Exasperated Americans wanted nothing to do with the "hump-backed brutes"; and besides, nobody, with the exception of "Greek George" and "Hi Jolly" seemed able to manage the camels with any degree of success. But it cannot be said that the project was given a fair trial under normal conditions. The "Impending Crisis" overshadowed all else and the actual firing on Sumter occurred when prospects seemed brightest. Davis became head of the Confederacy, Wayne resigned his commission to become a Confederate officer, and Congress was absorbed with "more serious matters than camels." At the least it was a most novel and picturesque episode in the history of California and the Southwest.

The Pony Express

Even before the camels were coming B. F. Ficklin, superintendent of a large stage and freighting firm, conceived the idea of the Pony Express and confided his scheme to Senator William M. Gwin. The idea that had been forming in Ficklin's mind was that of a faster mail and express service between the Missouri River and the Pacific Coast. Gwin introduced a bill in the Senate which, however, got no further than the committee.

The first pony express was that of Major George Chorpenning, in 1858, delivering President Buchanan's message to Sacramento from Washington in 17 days. The idea became concrete in 1860 with the organization of the "Central Overland California and Pike's Peak Express Company." The new corporation, composed of experienced transportation leaders, planned to operate an extensive passenger and freighting business. William H. Russell became manager of the Eastern Division, W. W. Finney western manager, Ficklin being stationed at Salt Lake City. The active career of the Pony Express began April 3, 1860, with the departure of the rider from the Missouri River. At the same time a packet of letters was conveyed from San Francisco to Sacramento by river boat, then forwarded by rail to Folsom, by stage to Genoa (Nevada), where it was taken by the pony rider for its long day-and-night journey to St. Joseph. The westward run of 1,966 miles was completed in nine days and twenty-three hours, the route being in general the same as that taken by the throngs of Argonauts.

The full equipment of the Pony Express comprised 190 stations, 400 stationmen, and eighty riders. The young riders, "the pick of the frontier," were selected with a view to delivering the mail rather than to shooting Indians. Their modest salaries averaged from $100 to

$125 a month. They were required to take a strong oath against using profane language and intoxicating liquor: their duties demanded consummate vigilance and agility. The letters, carried in a pouch called a *mochila,* were written on the thinnest of paper: the rate of postage was at first $5.00 per half ounce, later reduced to $1.50 and finally to $1.00. On the average each man rode about 30 miles, with three relays of horses, though emergencies called for many a more strenuous service.

"Buffalo Bill" (William Cody), who entered his career as a mere lad, is credited with a continuous ride of 384 miles. Jim Moore made a continuous ride of 140 miles, then after a delay of but ten minutes, he leaped again into the saddle, on account of his partner's illness, for the return trip of 140 miles. "Bill" Cates carried President Buchanan's last message and President Lincoln's inaugural address. "Pony Bob" Haslam holds the record for narrow escapes. Other well-known riders include "Bill" James, Jack Keetley, Don Rising, Alex. Carlyle, "Mel" Baughn, Johnny Frey, Jay Kelley, and "Dock" Brink.

Regular weekly mails were carried for sixteen months, without government subsidy. Only one trip was completely missed, one mail lost, out of some 650,000 miles ridden. It was found necessary after winter storms to use pack animals under difficult conditions; sometimes it was necessary to abandon the Sierra Trail altogether. Notwithstanding the high postage rate, the Pony Express proved financially unprofitable. The completion of the electric telegraph removed all possibility of eventual commercial success. Having run its course, it was officially discontinued October 7, 1861. But the demonstration of the practicability of a central route, as a mark of loyalty to the Union and as a true forerunner of the Central Pacific Railroad, made the Pony Express a national success even though in itself a financial failure.

Express Companies

As is now well understood, facilities for transportation and communication were notoriously inadequate during early days in California. By mid-year of 1851 there were but thirty-four post offices in the entire state. For six weeks during the winter of 1852-53 Los Angeles received no regular mail. Private companies were springing up, however, which rapidly assumed a place of prominence.

The firm of Adams and Company made an early appearance, quickly establishing branches in cities and mining camps. Through the operation of its banking and assaying departments it earned handsome profits. Wells, Fargo and Company, entering San Francisco in 1852, proved to be a formidable rival. During a five-year period it carried into San Francisco $58,000,000 worth of gold dust. Eastern connections both by water and by land were established. For efficiency and dependability these companies, which carried enormous numbers of letters and parcels, came to enjoy higher regard than the United States mails.

The financial crisis of 1855, which marked the end of the "flush times," caught the Adams Company unprepared and brought on its ruin; but the Wells-Fargo Express weathered the storm and came quickly into the dominant position with respect to the express business in the West. Its representatives were everywhere, its history thrilling and significant.

Bandits and Banditti

Gangs of vagabonds and bandits—recruited largely from Spanish-speaking criminals and victims of misfortune—infested much of California. These polite bandits, the "knights of the road" referred to by Bret Harte, would appear suddenly at the stage door, decorously dof-

fing their hats, to relieve the passengers of their valuables and the stage of its strong box. Resistance meant instant shooting. Specialized types of road agents quickly developed. The lone horseback traveler might be a victim of the skilfully thrown lariat, or there might be wholesale horse-stealing, with grim murder as a concomitant.

Chief among California banditti was Joaquin Murieta, a notorious brigand, as elusive as he was adroit, as formidable as capable. His very name struck terror from one end of the state to the other. He has been called cavalier as well as outlaw; but even after rejecting innumerable stories as apocryphal, he will doubtless remain the superbandit of California history. Harry S. Love, an experienced and intrepid mountaineer and rider, finally captured him, his head being later exhibited in alcohol as a hint to others.

Among outlaws infesting the Los Angeles district in the 'fifties Juan Flores was notorious, being expert with the pistol and "uncannily clever with the knife." Most feared of all in the south at a later date was Tiburcio Vásquez, who was finally captured in 1874. But travelers were relatively safe from the scourge of banditry after 1860.

The Telegraph

In his illuminating book, *A Tour of Duty,* published in 1849, Joseph W. Revere utters a remarkable prophecy of "the extension of the *Magnetic Telegraph,* with all convenient speed, from St. Louis to San Francisco." The first local telegraph in California, celebrated September 22, 1853, connected the light-house at Point Lobos and San Francisco, eight miles distant. This was employed to supply important shipping information. Later in that year San Francisco and San José were connected, and the first telegraphic message to the interior, dated October 24, was sent over the wires of the Cali-

fornia State Telegraph Company to Marysville, a distance of 210 miles, through San José, Stockton, and Sacramento. Los Angeles was connected with San Francisco October 8, 1860. There was great rejoicing over "beating the Pony Express" when, in February, 1861, dispatches were received on the Overland Mail and telegraphed from Los Angeles to San Francisco. The local companies merged into the California State Telegraph Company, which gradually extended its service throughout the Pacific Coast, not, however, without hours of bitter discouragement.

To Hiram Sibley is due great credit for the final achievement of the first telegraph line to the Pacific. His definite project dates from 1857. In June, 1860, an act was passed "to facilitate communication between the Atlantic and Pacific states by electric telegraph," with a subsidy of $40,000 annually. On November 1 of the following year Sibley, acting for the Western Union Telegraph Company, entered into contract for actual construction. Consolidation of the California lines—made possible by the efforts of Jeptha H. Wade—into the Overland Telegraph Company was effected with a capital of $1,250,000. It was agreed that the California company should extend its lines to Salt Lake City "and there connect."

To Edward Creighton was entrusted the task of making a careful survey and recommending the route. After he had personally traversed the entire route on mule-back his offer to undertake the construction westward to Salt Lake was promptly accepted. Overcoming all objections, construction was begun July 4, 1861, and the Omaha section was completed October 24 of the same year, the Western section, under the direction of James Gamble, being finished only two days later. Telegraphic communication from coast to coast was in actual operation

before the public mind had been able to grasp its full significance. The first message, addressed to President Lincoln, expressed the hope that the telegraph might be "a bond of perpetuity between the states of the Atlantic and those of the Pacific." The electric current sounded the death knell of the Pony Express and foreshadowed the construction of the transcontinental railway.

The Panamá Railroad

During the quarter-century ending 1850 canals or railroads across the Isthmus of Panamá had been projected by Mexican, Dutch, French, and British companies. With the ratification of the Clayton-Bulwer Treaty, however, foreign isthmian projects came to a close. After the settlement of the Oregon question in 1846, and particularly following the California gold discovery in 1848, the Panamá route had taken on new and more significant aspects. Congress authorized contracts for the establishment of two mail lines of steamships, from New York and New Orleans to Chagres, and from Panamá to San Francisco and Oregon, respectively.

After investigation, John L. Stephens, an experienced engineer, decided that a railway across the isthmus was entirely feasible. A concession followed, carrying with it a gift of 250,000 acres of land, a port on the Atlantic and one on the Pacific, and a forty-nine-year contract. The work was to be fully completed within eight years. The Panamá Railroad Company was incorporated April 7, 1849, with initial capital stock of $1,000,000. The Pacific terminus was located at the city of Panamá, the Atlantic terminus at Navy Bay. Gorgona was selected as the starting point.

Panamá was swarming with emigrants bound for the gold fields, radically changing the conditions under which the original contract had been entered upon. A small

force of laborers began work in May, 1850. Numbers were attacked daily with the deadly malaria, and all were victims of the pitiless mosquitos; progress in cutting a way through mangrove stumps and tangled vines seemed incredibly slow. Nevertheless, by the following May much of the road between the terminus and Gatun had been completed. Early in 1852 the settlement about Navy Bay was given the name Aspinwall. The obstacles were so huge and the ranks of the workers so thinned by sickness and death that the work faltered and for a time was discontinued altogether.

The directors, again assuming direct charge of the enterprise, greatly augmented the working force, employing in all some 7,000 men drawn from all parts of the world. By January, 1854, the summit ridge was reached, thirty-seven miles from Aspinwall, leaving eleven miles to Panamá. At midnight, January 27, 1855, and in the rain, the last rail was laid: next day a locomotive steamed from Atlantic to Pacific, signalizing one of the outstanding events of the wonderful nineteenth century. Daily service was established both ways, requiring at first five to six hours for the trip, later reduced to three hours. Frequently as many as 1,500 passengers were carried in a single half-day. More than 400,000 passengers and upwards of $750,000,000 in precious metals were transported over the road during the thirteen years ending in December, 1867. On the arrival of passenger steamships at Aspinwall, trains were dispatched at any hour,—similarly on the steamship's arrival at Panamá. The regular fare for adults was $25.

As the construction of the Pacific Railroad progressed the affairs of the Panamá road went from bad to worse. Then, to cap the climax, came the tidings that the golden spike had been driven connecting the Union Pacific and the Central Pacific. After suffering many vicissitudes, the

directors effected a sale to the French at an excessive price, in connection with the de Lesseps canal project. As the Pony Express was rendered obsolete by the electric current, so the Panamá Railroad became virtually useless with the coming of the iron horse across the continent. It served its day in the history of California but only as a forerunner.

It is fitting to add that when the United States bought out the French company at the isthmus in 1904, the railroad was also acquired—the first government-owned system. Lying in the way of the canal, its rails were torn up, and the building of the present road was completed in 1912. The present Panamá Railroad is reputed to be among the best equipped and most efficient in the world.

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Chapter XXXVI

THE CENTRAL PACIFIC RAILROAD

A TRANSCONTINENTAL railroad bringing the restless, dynamic population of California into closer contact with "the States" has been clearly foreshadowed in previous pages. The actual completion of the road was a realization of the great desire—held for generations—to pass directly from Atlantic to Pacific.

Idea of a Transcontinental Railway

The dream that sometime a railroad would be built across the continent had come to a few men almost as early as the railway became a reality in America,—but it was only a dream. An item appeared in the *American Railway Journal* in 1836 regarding "An Atlantic and Pacific Railroad"; other detached allusions are found from time to time.

Asa Whitney's bold prophecy of 1845, however,—that "You will see that it will change the whole world, allow us to traverse the globe in thirty days, . . ."—is not the merely detached utterance of a dreamer: in a memorial to Congress of that year he presented a scheme for a railway from Lake Michigan to the mouth of the Columbia, and he spent time and money in the earnest advocacy of his proposals. In another memorial, in 1849, Doctor Hartwell Carver claims that he was the first to conceive the plan for a railway to the Pacific, stating that as early as 1837 he had spoken and written on the subject. But George Wilkes had anticipated Carver's memorial by three years by presenting one of his own, seeking measures for the construction of a national highway from the

Missouri River to the Pacific—thus claiming priority in a definite proposal to Congress to build a government railway to the Pacific.

In the spring of 1850 the average estimated expense of getting to California was $400 in money and 120 days in time. By railroad, it was pointed out, the trip might be made in 20 days, for $150. This was made the basis of an appeal of Californians to eastern friends to advocate Congressional action. On the other hand, objections were urged that the necessary costs and difficulties of construction would be prohibitive, calling for huge land grants that would virtually be "colossal robbery" and advocating routes far inferior to others that should be submitted. People were inclined to look upon railroad enthusiasts as pure visionaries, with "crazy notions" in their heads.

Nevertheless by the mid-century year 1850 the idea of a Pacific railroad had gained somewhat general acceptance in inner circles; and thenceforward it was regarded as a foregone conclusion by not a few that on account of the gold rush the terminus of the proposed road should be in California rather than in Oregon.

Clamor for Better Transportation

The numerous trails leading to the Pacific following the acquisition of California were utterly inadequate to meet the demand for transportation. Yet one of their best services, as pointed out by Professor Paxson, was that they "revealed the possibility and early necessity of railroad routes extending from ocean to ocean." The burden of numerous speeches made in Congress was that the new possessions on the Pacific must be given adequate defense,—and without doubt the best and quickest means was a railroad. The mails were intolerably slow as well as excessively costly, likewise the express and freight, and, chief of all, human transportation:—many were the

factors that were united in the general clamor for a transcontinental railroad, a clamor that gathered volume with every passing month.

Congressional Inactivity

Debates in Congress seemed interminable. That body had not had experience commensurate to the demands of the colossal problems involved; it was inevitable that passion and interest should be mingled with reason and judgment. Should the project be under close government control, or should there be a *laissez-faire* policy, or should the road be built and operated by the government outright? What was the correct policy regarding financial encouragement and direct subsidies to insure the consummation of the huge enterprise? What was the extent and nature of the land grants that would prove most advisable? Long did Congress wrestle with the many-sided problems, further complicated by constant infusions of political questions.

What should be the route for the Pacific Railroad? This was one of the most fundamental yet most baffling of all the problems. A southern route was warmly advocated by Southern interests as early as 1852,—but this proposal came to nothing. After long debate an appropriation was voted in 1853 to make explorations and surveys for determining the "most practicable and economical route." Then months ran on into years, and in 1855 the actual goal seemed as distant and visionary as ever. Not least among causes of retardation must be mentioned sectional jealousy and the petty loyalty of some of the United States senators, who seemed incapable of rising to heights of real statesmanship despite the eloquent appeals of colleagues.

But powerful though often unobserved forces were

incessantly at work that pointed unerringly to actual construction. Californians employed every possible means of promotion and "brought every available influence to bear in favor of the immediate commencement of the work." Horace Greeley of the New York *Tribune,* who in 1859 made an overland journey to San Francisco, largely in the interest of the enterprise, wielded his influential pen in behalf of a railroad to the Pacific after examining the project from all standpoints. Meanwhile the results of the five exploring parties authorized by the Federal Government were made known, the elaborate reports being finally published in thirteen large illustrated volumes. These presented conclusive evidence of the existence of several practicable routes.

The Central Pacific Company Organized

The outbreak of the Civil War served to crystallize the feeling of necessity for the railroad and brought to an end all prospect of a southern route. Military and political considerations now became paramount. The railroad was needed to hold the Pacific Coast in the Union.

Scarcely had the war begun when, on June 28, 1861, the Central Pacific Railroad Company was organized at Sacramento. Leland Stanford was chosen president, Collis P. Huntington vice-president, Mark Hopkins treasurer, and James Bailey secretary. It was to the enthusiasm and courage of chief engineer Theodore D. Judah that the enterprise was deeply indebted for planning and carrying into effect the engineering ideas that put to final rout the jeers and ridicule heaped upon the "crazy notion" of building a railroad over those mountains! Likewise he put forth herculean efforts in behalf of the sorely needed financial support; but unfortunately

the virile young engineer was not permitted to behold the realization of his dreams, for his untimely death was recorded in the autumn of 1863.

Congressional Acts of 1862 and 1864

On July 1, 1862, Congress passed the memorable act granting permission to build. The generous land grants included five alternate sections for every mile of public land on each side of the track, for twenty miles back. Six per cent thirty-year bonds in amounts ranging from $16,000 to $48,000 per mile were ordered. The company was obligated to proceed with the construction of at least twenty-five miles a year. The entire road—Central Pacific and Union Pacific—was to be operated "as one connected, continuous line." But the provisions of 1862 proved insufficient as an inducement to capitalists: the Act of 1864, amendatory to the previous act, doubled the land grants and otherwise increased the inducements to capital, without which the project could not go forward. The credit of the company was greatly strengthened, enabling it to find a market for its own first mortgage bonds. There is doubtless some justification for the subsequent criticism directed against the "Big Four" of the Central Pacific (Stanford, Huntington, Hopkins, Crocker) in connection with their personal enrichment through "an extravagant share in the unearned increment," as well as against the government for land-grant prodigality: but the critic will do well to bear in mind the inexperience of Congress in dealing with such a gigantic project, the prodigious pressure of existing circumstances, and particularly the fact that to face the actual difficulties and overcome the stupendous and persistent obstacles was too grave and disheartening an undertaking for any but the stoutest hearts sustained by a reasonable prospect of generous reward. It is significant

that after years of agitation the construction of the first transcontinental railroad, though generously aided by the Federal Government, was left to private initiative.

Actual Construction

Actual building operations were begun in Sacramento in 1863, antedating those on the Union Pacific by a year and a half. The Central Pacific, building eastward from Sacramento, was compelled to have machinery and supplies sent out *via* Cape Horn or Panamá, at enormous expense of time and money. The Union Pacific, building westward from Omaha, had to drag its ponderous materials overland from the Iowa terminals or depend on the river boats of the Missouri. The Sierra Nevada presented a barrier more formidable than any previously known to the history of railroad building; but at least they supplied the Central Pacific with timber for ties, trestles, and the long stretches of snow shed,—a resource sadly lacking to the Union Pacific.

By September, 1865, the Central Pacific extended fifty-six miles eastward from Sacramento,—that is, far up into the Sierra Nevada. For labor the chief dependence was Chinese "coolies," imported for the special purpose; Irish immigrants were the main reliance of the Union Pacific. As many as 25,000 workmen were employed during the final months of construction. Tremendous slaughter of the American bison took place, for buffalo meat was extensively used, and buffalo robes were everywhere in demand. Despite irksome delays due to financial difficulties, the Central Pacific crossed the Sierra Nevada summit in December, 1867, at 7,042 feet elevation, and was quickly building eastward in Nevada. Everything proceeded with military precision.

Race between Central Pacific and Union Pacific

There was keen competition of the giants between the Central Pacific, building eastward, and the Union Pacific, building westward. The government subsidy based on mileage made it profitable to urge the workmen to their top speed. The gap between West and East narrowed perceptibly; and as it narrowed the rivalry between the companies became more intense! Charles Crocker by his brilliant strategy succeeded in setting a world's record in railroad construction for a single day on April 29, 1869, reporting ten miles and 185 feet of track laid.

The early months of 1869 closed the gap forever, and the final junction was effected at Promontory Point, Utah, five miles west of Ogden, 1,086 miles from Omaha and 689 miles from Sacramento. The edict of Congress that "the rails shall meet and connect, and form one continuous line," had been literally observed.

Driving the Gold Spike

On the tenth day of May, 1869, on a desolate spot in northern Utah, in the presence of a company of several hundred witnesses, the formal ceremony was performed, firmly uniting the Atlantic and the Pacific with bands of everlasting steel. Preliminaries all being completed, it remained only to drive the last spike. Following the driving of Arizona's spike of gold, silver, and iron, and Nevada's spike of silver, California's laurel tie was put in place and California's spike of gold was presented by Doctor Harkness. President Stanford and Vice-President Durant proceeded to drive the spike, the locomotive whistles screaming their accompaniment. Each blow from the silver sledge was announced simultaneously by telegraphic connection by the ringing of bells in eastern cities. Not only for California but for the entire nation

it was a most memorable day. Everywhere there were demonstrative expressions of gratification and thanksgiving. San Francisco gave itself up to a three-day celebration: at Sacramento the bells and whistles of thirty assembled locomotives led the general chorus of all the city's bells and whistles in "one prolonged demonstration of joy." The telegraphic dispatch announcing the consummation conveyed the message; *"The last rail is laid! The last spike driven! The Pacific Railroad is completed!"* The successful completion of this great project, one of the most stupendous engineering works undertaken by man, brought to an end the frontier era of California history.

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Chapter XXXVII

LOYALTY TO THE UNION

WITH the single exception of Know-Nothingism California had been Democratic since its admission in 1850, a fact largely attributable to an active Southern element in the population and particularly to the influence of its aggressive leaders. The pro-slavery legislature of 1859 showed sympathy for the Pacific Republic proposal, and one of the congressmen went so far as to advocate, under certain contingencies, the raising of the Bear Flag on the shores of the Pacific.

California's Anti-Slavery Record

Viewed in the light of the true historical perspective, however, California has an enviable record on the question of slavery. Even among aboriginal Californians any form of actual slavery was rare, while hereditary bondage was unknown. Still it was not uncommon for men to gamble away their wives and children, sometimes to sell them to other tribes. Virtual servitude among the Indians did exist. Moreover, there is convincing evidence that for a number of years the kidnapping of Indian children by irresponsible whites was not uncommon, such children being sold and used, in very limited numbers, in domestic service.

Slavery was abolished by law throughout Mexican territory in 1829. Thenceforward human slavery as an institution never enjoyed full legal sanction in California; though this is not to state that slavery never existed, or that no court of justice ever recognized its existence. Since the American conquest was an act in the drama of

the Mexican War, which was fundamentally concerned with slavery extension, the possibility of introducing slavery was much discussed; but the discussion was exceedingly one-sided, since nearly everybody in California recognized that local conditions were highly unfavorable to the peculiar institution. The territory came into the complete possession of the United States with no legal taint of slavery. Even before the gold rush it was locally pointed out that neither the soil, nor the climate, nor the production of any portion of California was adapted to slave labor, and that property in human slaves would be utterly insecure.

The national significance of Shannon's resolution in the '49 Constitutional Convention prohibiting slavery has been pointed out. Final admission into the Union as the sixteenth free state forever overthrew the equilibrium between South and North. Midway of the century, here was an event of commanding and far-reaching importance in American history.

Negroes in California

Relatively few negro slaves had been brought into California prior to the Convention of 1849. The census of 1850 shows nearly 1,000 negroes and for 1852 the estimate is 2,200, of whom probably a majority were brought in as slaves. It is certain that some negroes continued in a state of slavery in California for years after admission: few, if any, however, were to be found at the time of the Emancipation Proclamation.

The California Fugitive Slave Act of 1851, which continued in effect *pro forma* until 1855, provided that slaves brought in before admission might be reclaimed and returned to slave states. This law was re-enacted several times, as the editor of the *Alta* expressed it, "to be used as a rod over the cringing backs of those who knew it to

be wrong, yet dared not vote against it." In a case involving three slaves it was pronounced constitutional by the State Supreme Court, and an order was made that they be "re-delivered into the custody of the claimant." In some instances slaves brought into California were given their freedom by process of a deed of emancipation voluntarily executed by the master.

The growth of the negro population is illustrated by the statements of Darius Stokes, a pastor, who, in September, 1856, claimed to have founded fourteen colored churches in California, that the assessed valuation of property owned by the colored population of San Francisco was $150,000, and that three-quarters of a million dollars had been sent home by negroes to purchase freedom for members of their families. He instanced cases where "men had paid as high as $2,000 each for their companions who were enslaved, to gain their freedom, and bring them to this State." One person had purchased eight of his children and had paid for them $9,000, the money being earned by washing.

The Shift in State Politics

Notwithstanding the almost uninterrupted Democratic control over California politics and the launching of secret movements calculated to swing the state into the ranks of slavery, a decisive majority of the people were loyal to the cause of American Union. Moreover, there had been formed an anti-slavery party which contained on its roster many prominent names, including Collis P. Huntington, Cornelius Cole, Mark Hopkins, Charles and Edwin B. Crocker, and Leland Stanford. David Broderick had also made his influence felt against the "slave oligarchy" that had dominated the state politics. Even more emphatic for loyalty than the election of Lincoln in 1860 was the voice of the people in the state election of

1861—in the full light of the early scenes of civil strife—when Stanford, Republican, was chosen governor by a plurality of more than 23,000 over McConnell, a Breckinridge Democrat. To Leland Stanford, "War Governor" of California, is due a generous measure of praise for the attitude of consistent loyalty maintained by the Golden State during the period of the Civil War.

Temptations to Disloyalty

By no means did California escape temptations to disloyalty: by open act and secret intrigue men endeavored to kindle the fires of secession. Even before Lincoln's inauguration, there was talk of a "Pacific Republic," much of it occasioned by Representative John C. Burch, who, in a letter, had urged the people (in case of emergency) to "raise aloft the flag of the 'bear,' surrounded by the 'hydra'-pointed cactus of the western wilds, and call upon the enlightened nations of the earth to acknowledge our independence, and to protect us, the only 'waif,' from the wreck of our once noble Union—the youthful but vigorous Cæsarean republic of the Pacific." Even Governor Weller had declared that if the prevalent wild "fanaticism" should destroy the "magnificent confederacy," California, instead of going either with North or South, would found on the shores of the Pacific "a mighty republic, which may in the end prove the greatest of all." Certain newspapers enthusiastically advocated the creation of a Pacific Republic; entire communities were pronounced in its favor; representatives in Congress favored neutrality for the state in the event of war. Indeed, all of California's representatives were from the South. Theirs was the federal patronage up to the summer of 1861; the state government was entirely in their hands; the commanding officers in army and navy and the highest judicial functionary were all Southerners.

In January, 1861, a resident of Stockton hoisted a flag intended to represent the Pacific Republic; but the principal effect was a general raising of the Stars and Stripes throughout the city. The tide of Union feeling was irresistible. The Pacific Republic project received its quietus in a joint resolution of the legislature, adopted May 17, 1861, which declared unequivocally "that the people of California are devoted to the Constitution and Union now in the hour of trial and peril." It became clear that the agitation was never a serious menace; the project was soon given up.

The loyalty of Albert Sidney Johnston, commander of the United States forces on the Pacific, was questioned. Without doubt the hope was entertained by extremists that active encouragement would be lent to their eastern brethren; and the story of an alleged conspiracy to betray California to the Confederacy gained much currency. It should be stated, however, that the official correspondence reveals no evidence of the reality of such a conspiracy. Such was his integrity and fine sense of honor as an officer that there seems little reason to doubt that "so long as he held his commission he would maintain the authority of the Government to the last extremity." Nevertheless it will not be denied that when, on the day following his timely arrival, General Edward Sumner issued an order definitely assuming command of the department, a great burden of anxiety was lifted from the mind of many a loyal citizen. There was in the delicate situation room for grave apprehension: admitting Johnston's integrity, it is still well understood that he had been surrounded by those who would scarcely have stopped at any measure that might accomplish what many so passionately desired.

Demonstrations of Loyalty

Union celebrations and demonstrations of loyalty in all parts of California were frequent and impressive. Many citizens quite naturally desired to maintain an attitude of neutrality; but it became increasingly clear that there were only two tenable positions, "for or against the government," and every man was called upon "to take his stand on one side or the other." Numbers of the ablest and most eloquent leaders went abroad throughout the state as missioners of loyalty and patriotism. Resolutions of loyalty were enthusiastically adopted by mass meetings held in many towns and counties.

It might seem that Californians would have held themselves aloof from the struggles of the war so far removed from their firesides. Happily they were virtually spared the horrors of actual warfare at home; but their interest in the distant strife was intense and intensely American.

Since its recent renovation at the hands of the great Committee of Vigilance and the People's Party, San Francisco had become a citadel of loyalty. The nonpartisan government was pronounced "sound to the core." Horace Davis left a personal account of the formation of the "Home Guards," a sort of committee of safety, to do what they could "to put down secession and to keep California true to the Union." They strongly supported Stanford and urged every loyal citizen "to declare himself."

Sentiment for Secession

Manifestations of disloyalty were not far to seek. There were those who for a time openly advocated secession. It is estimated that at least one-third of the officers of the Sixth Regiment, belonging to the Department

of the Pacific, resigned following Lincoln's inauguration. Practically all of these left with the avowed intention of taking positions in the Confederate Army. Despite all expressions of loyalty, many persons in California deeply sympathized with the South. As it became increasingly indiscreet if not actually dangerous openly to avow sympathy or to commit overt acts of like tenor, expressions of disloyalty assumed different and more subtle forms. Chief among these were a number of secret societies, pledged to give aid to the Confederate cause.

Two secret organizations of prominence were the Knights of the Golden Circle and the Knights of the Columbian Star. These were well organized throughout the state, their members numbering into the thousands, their autocratic leaders men of courage and of talent. Since the whole system was sedulously cloaked and guarded, it was difficult to obtain authentic data regarding the societies. Of the Knights of the Columbian Star it was reported that the state had its governor-general, each locality its lieutenant-governor, assisted by a deputy. Large meetings were avoided, only a few of the officers and trusted members coming together to initiate new members and plan activities. It was estimated that the two societies in 1864 could control at least 50,000 men.

Other and more open vehicles of secession sentiment were newspapers, public speeches, sermons and prayers from the pulpit, celebration of Confederate victories, and harangues in bar-rooms. Disloyal papers heaped vituperation upon Lincoln and the federal administration. The postal authorities were asked to bar several papers from the United States mails. Five offensively disloyal papers were destroyed by mob violence. In spite of such local incidents, however, the loyal papers were always far more

numerous, with wider circulation and greater influence. Prominent among these were the *Bulletin* and the *Alta California* of San Francisco, and the *Bee* and the *Union* of Sacramento.

For every openly inflammatory or incendiary remark—and such were not wanting—there were many that were suggestive and equivocal, filled with innuendo and dangerous because so plausible and beguiling. The presence of federal troops was at times deemed imperative in certain centers,—Visalia, San Luis Obispo, Santa Barbara, San Bernardino, and Los Angeles being cities that gave greatest concern.

California's Contributions to the Union

Notwithstanding all this, it remains true that on the whole California was intensely loyal to the Union and stood steadfastly by the flag and the constitution. San Francisco was the chief center of loyal sentiment. In the autumn of 1861 the *Alta* asserted, "there is not a more loyal city than the metropolis of the Pacific. Among our citizens, devotion to the flag is an all-absorbing passion. It is shared equally by all classes, and is all but universal."

Organized activities in behalf of the Union were many. Thus the work of the Home League consisted in conducting propaganda, promoting enlistment, keeping down conspiracy, and in working for the election of a war governor who would support Lincoln. A high quality of oratory was much in evidence in Union meetings throughout the state. Thomas Starr King, loved Unitarian preacher, threw himself with his marvelous talent into the breach to champion his country's cause with an irresistible eloquence; Myron C. Briggs, stalwart Methodist editor and pulpit orator, was a tower of strength for every righteous cause, a terror to the traitor and evildoer; Colonel E. D. Baker, Senator from Oregon, was

the silver-tongued orator who had delivered perhaps the greatest address ever delivered in California in advocacy of Lincoln's election, who boldly affirmed that California would be true to the Union "to the last of blood and treasure," and who finally made the supreme sacrifice at Ball's Bluff; Cornelius Cole, John Bidwell, Henry Edgerton, and their like—these are they who nobly wrought, who deserve well of the Republic.

When the opportunity came there was a rush of candidates seeking to enlist in the California Regiment. A warning note went out, however, that they could not all be spared "so long as John Bull frowns on us from his Asiatic fleet, . . ." The "California Hundred" passed out the Golden Gate, December 11, 1862, in the midst of loud cheering. Five weeks later they were acclaimed at the Boston depot, where Captain Reed expressed their pride in being enrolled under the quota of Boston. One company of native-born Californians was organized at San José, its members equipping themselves with lassos, in the use of which they were expert.

While the services actually rendered the Union cause by men in the ranks was of real significance, the state forces, with the exception of those enlisted from Massachusetts, did not participate in any of the great battles of the Civil War. The state furnished two full regiments of cavalry, eight regiments of infantry, one battalion of native California cavalry, and one battalion of infantry (called mountaineers), besides several companies of volunteers to Massachusetts and Washington Territory. Among the galaxy of conspicuous military leaders, sometime claimed as Californians, are mentioned Grant, Sherman, Hooker, Halleck, Sumner, Baker. With like pride reference is made to representatives in the navy,—Farragut, Goldsborough, Porter, Alden, Baldwin.

The Boon of California Gold

In the dark days of civil strife it was California gold that supplied an indispensable element of strength and steadiness to the national finance. Every demand made by the federal government was met without delay or question. It is hardly an exaggeration to affirm, with a French writer, "It is the gold of California that has dealt the fatal blow to the institution of slavery in the United States."

In California there was total unfamiliarity with a paper circulating medium. Therefore the people, wholly accustomed to gold and silver money, were not prepared to accept the federal order making greenbacks legal tender for the payment of debts. With their rapid depreciation vigorous protests were voiced because of the obvious and severe injustice occasioned by the operation of the law. Plans to exempt California resulted in failure: great embarrassment followed any sincere attempt to use the notes. A remedy was finally found in the Specific Contract Act (approved April 27, 1863), which provided that "contracts in writing for the direct payment of money, made payable in a specific kind of money or currency might be specifically enforced by the courts, and judgments on such contracts be made payable and collectable in the kind of money or currency specified."

California was the main support of the great Sanitary Commission, organized in New England and spreading rapidly throughout the Union. Many were the lives of boys in blue saved by this splendid beneficence, before the days of Red Cross. It was the eloquence of Starr King that saved the Commission's work from financial ruin. Of a total of $4,800,000 cash received for the country, California alone supplied upwards of $1,234,000. In such a time of national peril, of unprecedented financial

stress, and in the face of a prospect of ruinous inflation of currency, the bright, hard California gold was like life-giving blood to one sorely wounded and faint from bleeding.

With the comparatively slight exception of certain Indian uprisings in the north, California was happily spared the scenes of bloody strife. The opening of the Civil War had hastened the completion of the transcontinental telegraph and the passage of the memorable Pacific Railroad Bill in Congress. The vigilance and staunch patriotism of her governors—Leland Stanford and Frederick F. Low—the loyalty of her troops, and the unwavering steadfastness of the great body of her people, in saving her from the horrors of actual warfare, enabled her to go forward in the development of her own marvelous resources while pouring her treasures lavishly into the lap of the nation.

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Chapter XXXVIII

THE CHINESE QUESTION

China and the United States: Early Relations

PEOPLES of the Far East have constituted an important factor in the life of the Far West, and indications point to still more consequential activities flowing from the relationships of the peoples bordering the Pacific Ocean. Far-reaching events of the world's great hereafter must inevitably take place in the Pacific littoral. Of all the Oriental peoples the Chinese are the most numerous and perhaps most potential when viewed from the standpoint of a future age.

It is worthy of remark that during the period of its early history California was, speaking relatively, near to China. Prior to the completion of the Pacific Railroad in 1869 China was nearer in terms of comfort as well as of time and money than the Mississippi.

In 1844 Caleb Cushing was appointed by the United States Government as minister plenipotentiary to China. Through his efforts a treaty was concluded which gave Americans the right to trade in five Chinese ports, securing at the same time a recognition of the right to the free exercise of the Christian religion by Americans and other nationals. The first Chinese immigrant found his way into California in 1847; two men and one woman were reported for 1848. But the first considerable body of Chinese was attracted to California by the magnet of gold: by the opening of 1850 nearly a thousand had arrived. Then by leaps and bounds the numbers were augmented until in the summer of 1852 there were not far from 20,000 Chinese in the new state. One cannot con-

template the presence of such a significant alien element in the population without recognizing the presence of a race problem of wide ramifications.

Early Welcome to Chinese Immigrants

The first Chinese immigrants in California were treated with "distinguished consideration": they were referred to as "our Chinese fellow-citizens," and were given a prominent place in the impressive services on the occasion of President Taylor's death as well as in the grand celebration of the admission of the state. Governor McDougal made allusion to the Chinese as "one of the most worthy classes of our newly adopted citizens," expressing a desire for their further immigration and settlement. A basic reason for the cordial welcome to the early Chinese immigrants lay in the fact that there was in California no dependable supply of common laborers and that these Orientals showed themselves adaptable, faithful workers, whether in the mines, on the railroads and ranches, in laundries, hotels and private kitchens, or as domestic servants. They seemed to have a passion for work and were content with meager wages.

Change of Attitude

The inevitable reaction of sentiment was not long in revealing itself. The first marked dissatisfaction appeared in the mines where, in spite of their much smaller daily earnings, the Chinese, by dint of their dogged perseverance and extreme frugality, accumulated more gold than did many of the extravagant and sometimes reckless whites. The Foreign Miners' License law was enacted in 1850, under which a monthly tax of twenty dollars was imposed on foreign miners. However this had the effect of injuring the mining camps and of driving to San Francisco a horde of penniless foreigners. The law was

quickly repealed, though a milder tax was later restored, this in turn to be followed at a later date by a prohibitive tax. "John Chinaman" was a patient, peace-loving, hard-working subject, paying his obligations without a murmur, careful for prudential reasons to leave the richest claims to Americans. Nevertheless he was constantly getting in the way of the aggressive white, and consequently was "driven backwards and forwards," the victim of sharp epithets, much strife, and not a little actual violence. "California for the Americans!" was the cry that began to be heard on all sides. Influenced by the heightening feeling of antipathy, Governor Bigler in a special message stigmatized the Chinese as contract "coolie" laborers and called upon the legislature to prohibit their further immigration. He was thus the first important official to invoke the anti-Chinese shibboleth.

In San Francisco "Little China" was growing up with startling suddenness. This was located on upper Sacramento Street and the entire length of Dupont Street. Chinatown became one of the wonders of the city, its hidden mysteries attracting curious tourists of later days. Gambling dens sprang up, which, with their back-room saloons and numerous "banks," secret passages, and hidden recesses, were crowded day and night. As an evil concomitant of the gambler were abandoned and shameless Chinese women—decent women, as is well understood, being, during those years, relatively very few.

While some Chinese immigrants were attracted by the promise of a high wage or the prospects of the gold fields, others to cultivate the soil or as merchants, the great mass came not on their own individual initiative but under conditions but slightly removed from servitude. The "Six Companies" became the basis of the colony bond among them, a substitute for their native village and patriarchal association. If in theory the "Six Com-

panies" were voluntary and of benevolent purpose, they were in reality responsible for the immigration of large numbers of Chinese, including many of the poorest and most ignorant class and not a few moral delinquents. They may be regarded as a huge clearing house for everything Chinese. Southern China was then in a state of dire poverty occasioned by the Taiping rebellion. The underlying motive was clearly economic. Among Americans the belief spread that the "coolie" was not a free laborer, but that he was being ruthlessly exploited by shrewd and grasping speculators,—a belief well calculated to intensify the feeling of hostility toward all Chinese immigrants without discrimination.

The financial panic of 1854 brought prices down with a crash, ruining many business houses and causing grave industrial conditions. Miners by the thousand drifted back to the metropolis only to find the labor market utterly glutted; the presence of large numbers of Chinese was held chiefly responsible for the alarming unemployment. The white man complained bitterly that the Celestial by underbidding deprived him of work, that he was a human leech, "sucking the very life-blood of this country." The dogma of Chinese slavery gained such currency that civic life and political ambition were alike deeply influenced by it.

Governor John Bigler, not hesitating to capitalize the "Coolie" question for political ends, rebuked the legislature in 1854 for its inactivity. Numerous schemes were proposed, many exclusion bills were urged; but such measures as seemed likely to prove effective were found to be unconstitutional.

With the rising tide of hostility developed an anti-social attitude that was far from creditable to many Americans. The prejudice extended even to little children, often condoned by their elders in open disrespect

and even insult toward "John Chinaman." Mistreatment of the "pig-tail," "almond-eyed Celestial" by "hoodlums" and "bummers" was of daily occurrence;—slight prospect had the aggrieved for any sort of vindication. The nadir of indignity may be said to have been reached in the notorious "pig-tail ordinance," requiring convicted Chinese men to have their queues cut off one inch from the head,—though this received the prompt veto of the mayor. Everywhere the Chinese were subjected to indignities and harsh treatment, the violence amounting, in numerous instances, to actual riots. In 1859 the feeling reached such a pitch among northern miners that Governor Weller sent a company of militia to put down the riots in Shasta County.

The Economic Motive

More specifically the explanation of American hostility lies in economic, social, political, moral and religious, and racial considerations. The Chinese brought on intolerable competition by entering such occupations as mining, railroad building, and cigar making. White workmen seeking a job saw in them the degradation of labor. Moreover, they were accused of draining the country annually of large sums of money. Socially they were regarded as a great evil, threatening to work permanent injury to the state. Charged with being devoid of desire for progress, living on inferior food in crowded, insanitary dwellings, their very presence was deemed a constant menace, tending to discourage white immigration. Politically they were believed to threaten republican institutions, practicing a quasi-government among themselves, evincing no desire for assimilation but clinging to their own clannish ways. From the moral and religious standpoint, it was charged that they came and they went as pagans,—not only so, but there were many criminals and

debased persons whose vice corrupted the morals of the community. By some the influx of the Chinese was held to be a serious menace to the existence of Christian civilization on the Pacific Coast. Finally, the sheer divergence in race, indicative of vast social distance, proved to be perhaps the most fundamental consideration of all. Between Caucasian and Mongolian was a deep, fixed gulf: the very juxta-position of two such races presented a problem for which social science is still seeking a satisfactory solution.

Chinese immigrants poured in through the Golden Gate until in 1876, a total of 116,000 were found within the borders of California alone. It is not surprising that men's passions were deeply stirred and that doleful prophets arose who had visions of most direful consequences not only to the Pacific Coast but to the great American Republic. Californians embraced the anti-Chinese cause with almost complete unanimity; yet there were at all times learned and capable advocates of the pro-Chinese attitude. Among these were several representative Chinese scholars who presented keen rebuttal to each argument against their race.

During the Civil War period attention was diverted to national affairs, and large numbers of Chinese were imported to do construction work on the Central Pacific Railroad, as many as 9,000 being thus employed. Stanford reported them to be "peaceable, industrious and economical, apt to learn and quite as efficient as white laborers." But with the return of peace, and especially with the completion of the railway, the labor market was again flooded with coolies, giving malcontents abundant cause for complaint and injecting a leading issue into state politics. In 1871 Newton Booth (Republican) was elected governor on an anti-Chinese platform.

Feeling of Antipathy at Its Height

When the panic of 1873 swept over California, followed by the rise of Denis Kearney and the Workingmen's Party, the Chinese question came swiftly to its zenith. Further consideration of the industrial and political phases is given in a later chapter. The anti-Chinese labor riots of 1877 were so severe as to render the San Francisco police inadequate and threaten destruction of the city by fire. The Committee of Safety was formed under the presidency of William T. Coleman, acting in strict accordance with the law: 6,000 hickory pick-handles were ordered for use as clubs, thus giving name to the "Pick-handle Brigade," which enlisted a total of some 5,500 men. One night in July a two-hour fight was required to repel an attack on the Pacific Mail Steamship Company's docks and steamers—where Chinese were wont to be landed. Success being finally achieved, the committee quickly sank out of sight, having finished its important task.

In the meantime there was renewed demand for a new state constitution, culminating finally in the convention of 1879. The new constitution was strongly anti-Chinese, though certain provisions were later found to be in conflict with the United States Constitution and therefore void.

The Question in Congress

The scenes must now be shifted to the national councils—the problem assumed national scope. Agitation for the Burlingame Treaty aroused the passions of Californians: nevertheless the treaty was concluded in 1868, giving a renewal of mutual assurances of protection and privileges of trade. At that very time, it is safe to say, a vast majority of the citizens of California strongly favored the exclusion of the Chinese. The issue was forced

upon the attention of the national government, the first debates in Congress taking place in 1868-69.

At length Congress was constrained to appoint a Joint Special Committee, which convened in San Francisco in October, 1876. The committee's report stated, in part, that the testimony demonstrated that the "Chinese lived in filthy dwellings, upon poor food, crowded together in narrow quarters, disregarding health and fire ordinances," adding that "to compete with them and expel them, the American must come down to their level or below them." Early in 1878 a resolution was reported to the House requesting the President to undertake to obtain a change in or abrogation of all treaties permitting "unlimited immigration of Chinese to the United States." With scant regard to treaty relations Congress passed the Fifteen Passenger Bill, designed to restrict Chinese immigration. President Hayes' prompt veto of the measure had the effect of focusing attention on the abrogation of the existing treaty. Interest quickly developed into genuine enthusiasm, then into an irresistible clamor. The President therefore appointed a special commission headed by James B. Angell, charged with negotiating a modification of the Burlingame Treaty.

The Treaty of 1880 was the result, under which the United States may "regulate, limit, or suspend" the admission or residence of Chinese laborers, "but may not absolutely prohibit it. The limitation or suspension shall be reasonable." Other Chinese subjects—including laborers in this country—should enjoy full protection and freedom to come and go, with the privileges of citizens and subjects of the most favored nation.

The newly organized American Federation of Labor promptly expressed approval of the limitation placed on Chinese immigration, alleging that the presence of coolie labor was "one of the greatest evils with which any

country can be afflicted," and urging the necessity of national legislation "entirely prohibiting the immigration of Chinese."

The first Congressional act to suspend immigration (December, 1881) was vetoed by President Arthur, principally on the ground that the twenty-year suspension proposed was not reasonable but that it constituted "a breach of our national faith." The Exclusion Bill of 1882, however, was approved, becoming effective May 6. It suspended immigration of Chinese laborers for ten years; departing Chinese who contemplated return should possess identification certificates. The act was not satisfactory to the Chinese Government, which announced that it had temporarily suspended the issuance of certificates to emigrants.

Anti-Chinese agitation continued, becoming even more inflamed. Violence and outrages increased; quite naturally a spirit of retaliation manifested itself in China. After extensive correspondence a new treaty was signed in 1887, but this the Senate refused to ratify. The Scott Act of 1888 prohibited the further issuance of certificates to Chinese laborers, thus preventing their return to the United States. This law, held to be in total disregard of Chinese treaty rights, was pronounced by Senator Sherman "one of the most vicious laws that has passed in my time in Congress." Nevertheless the Supreme Court held it was not invalid nor restricted in its enforcement.

The Geary Act became effective May 5, 1892, definitely prohibiting Chinese immigration for a period of ten years. Notwithstanding vigorous representations from Peking to the effect that the act was most discriminatory, the Supreme Court ruled its provisions "must, if clear and explicit, be upheld by the courts, even in contravention of stipulations in an earlier treaty." Diplomatic

exchanges continued during the administration of President Cleveland, who was able on December 8, 1894, to proclaim a new immigration treaty regulating the entrance of Chinese laborers into this country. Thus did the United States tardily meet the Chinese objections to the Scott Act, which had repeatedly been refused recognition.

Policy of Permanent Exclusion

In December, 1901, in view of the approaching termination of the Geary Act, the Chinese minister suggested an adjustment that should be "more in harmony with the friendly relations of the two governments." A deluge of memorials and petitions poured in upon Congress, and bills were introduced designed to bring about further restriction. Minister Wu Ting Fang's note to Secretary John Hay reaffirmed the position of the Chinese Government: nevertheless Representative Julius Kahn was loudly applauded when he spoke in behalf of the Exclusion Bill and extolled the American laborer and mechanic. After long arguments and consideration of many amendments, this bill, "to prohibit the coming into and to regulate the residence within the United States . . . of Chinese and persons of Chinese descent," was passed and given the approval of President Roosevelt, April 30, 1902. Thereby the principle of exclusion was made applicable to the islands belonging to the United States. Two years later Congress re-enacted and extended "without modification or any condition or stipulation as to time all laws then existing relative to the Chinese." Thus was definitely settled the many-sided question of Chinese exclusion.

The history of Chinese immigration is not a record in which the Californian can take unmixed pride,—political ambition, bigotry, and race prejudice played conspicuous parts in the agitation; yet few thoughtful students will

now deny the contention that exclusion has in fact been of distinct benefit to the state and the nation. The underlying fact of non-assimilation impels recognition of the blessings of exclusion even while regretting that it was not achieved with a higher regard for the claims and sensibilities of a friendly nation. The fact that the United States, unlike leading European powers, refrained from the seizure of valuable Chinese territory, and the return of the Chinese indemnity fund awarded after the Boxer uprising of 1900 for the education of picked young men, has gone far in cementing bonds of friendship. Other factors during recent years have contributed to make China feel that she has no better friend among the powers than the United States: these include the insistence on the "Open Door" policy, the progress of Christian missions, with their superior educational and health development features, the establishment of great eleemosynary institutions in China, and the sympathetic attitude among Americans for the youthful Republic of China during years of internal strife and vicissitude.

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Chapter XXXIX

THE WORKINGMEN'S MOVEMENT AND THE NEW CONSTITUTION

THE origin of the Workingmen's Movement in California is best understood in the light of the discomfort—in many instances positive suffering—among great numbers of the people during the decade following the Civil War period. The already disturbed economic conditions were becoming more acute. An unassuming San Francisco printer, Henry George, was developing economic doctrines that were destined to carry his name to all lands. He exchanged the rank of printer for the realm of editor; he felt an urge to write something for all the people. He inaugurated the movement for the eight-hour labor day; his writings attracted wider and wider attention. With painstaking care he evolved his single tax theory,—*Progress and Poverty* was the result. George revealed singular purity of motives in life; by his direct, sincere manner and devotion to the truth as he saw it, he won the respect even of those directly opposed to his ideas, a martyr in the end to principles he believed to be for the highest well-being of the laboring masses.

Industrial Conditions

Recovery from the panic of 1873 was slow. The dry winter of 1876-77 resulted in general failure of the grain crop, and thousands of cattle perished. Protest among workingmen assumed the form of renewed agitation for trades unions: threats of strikes were frequent, and demand for an eight-hour day was increasing. Nor was the

distress confined to cities. Farm hands were required to sleep in barns, were not permitted to eat with the families of their employers, and in too many cases were shown scant consideration in relation to decency, sanitation, and comfort. Idleness abounded. Tramps seemed to be everywhere. In city and country alike there was bitter discontent, deepened by the ostentation of those suddenly possessed of great fortunes. Seven thousand persons in San Francisco alone requiring public relief in 1876 gave evidence of the real destitution. By 1877 the situation had assumed a decidedly threatening aspect,—15,000 men were idle in the metropolis alone.

News of labor riots in Philadelphia had the effect of fostering a spirit of violence by the Golden Gate. The term "hoodlums" rapidly gained currency, and a popular form of diversion—natural enough under the conditions—was to insult and torment inoffensive Chinese laborers. Indeed, the anti-Chinese agitation had become the dominant issue in California.

In September, 1877, the San Francisco Trade and Labor Union decided to break off relations with existing political parties and enter politics as the Workingmen's Party of California. Existing parties were charged with gross corruption; more adequate representation of the interests of labor were demanded. The Workingmen's Movement was formally launched at a meeting of the unemployed held September 21. After a speech by Philip A. Roach, the audience listened to a characteristic harangue by Denis Kearney. This new leader declared that every workingman should add a musket to his household effects, and predicted that within a year at least 20,000 laborers in the city would be "well armed, well organized, and well able to demand and take what they will, despite the military, the police, and the 'safety committee.'" He suggested that "a little judicious hanging" would be the

best course to pursue with offensive robber capitalists and stock sharps.

Denis Kearney and the Sand Lot

Denis Kearney, a native of County Cork, Ireland, had arrived in San Francisco in 1868, having followed the sea from boyhood. In personal habits he was temperate, industrious, and frugal. A draying business, which he purchased in 1872, prospered until his incendiary addresses caused merchants to withdraw their patronage. He was not naturalized as an American citizen till 1876. In personal appearance he was short and stout, having coarse features and restless dark eyes. As a speaker he was forceful and fervid, displaying crude epigrammatic skill, always possessing marvelous power to sway his hearers. With telling effect he reiterated the slogan, "The Chinese must go!"

The open air meeting of Sunday afternoon, September 23, on the vacant space in front of the new City Hall was the first of a series at the same place having for their object the active cooperation of the workingmen and which went down into history as the "sand-lot gatherings." J. G. Day, president of the organization, was not turbulent enough to please Kearney, who used very intemperate language. Two factions arising, Kearney became the logical head of the more radical group. A statement of principles was prepared upon which to establish the Workingmen's Party of California. It was proposed "to wrest the government from the hands of the rich and place it in those of the people," "to rid the country of cheap Chinese labor," "to destroy land monopoly," and "to elect none but competent workingmen and their friends to any office whatever."

The work of organizing the new party proceeded with vigor and dispatch: the movement was the culmination

of a course of political activity during the preceding decade. Nightly meetings were held at different points—Kearney himself was everywhere the dominating spirit. One of the largest meetings was held in late October, when 3,000 persons met on Nob Hill, under the very shadow of the palatial residences of the Central Pacific directors. The speeches were exceedingly inflammatory, with the effect of still further heightening the rising pitch of public excitement. A few days later Kearney was arrested and taken to the city prison,—affording him a not unwelcome martyrdom and raising the excitement to yet higher pitch. On the following day six prominent leaders were placed under arrest. The executive committee issued an address to the rank and file admonishing against deeds of violence and counselling patience and moderation.

On being released after spending nearly a fortnight in prison, Kearney gracelessly resumed his unrestrained attacks upon public officials,—his imprisonment had obviously had the effect of greatly augmenting his following. It was resolved to push the organization in the interior: slight response was shown by the farmers, but in the principal towns eager auditors were not lacking. Interested groups were formed as far south as Los Angeles. The extreme height of incendiary language was reached in January, when some four hundred unemployed workingmen set forth on the march to the City Hall in San Francisco to demand "work, bread, or a place in the county jail." Before reaching their destination the marchers came to number about 1,500. The mayor pleaded his powerlessness to grant their demands: then it was, on the sand lot, that discretion of diction was thrown to the winds,—terrorism did not stop short of threats to "blow up the Pacific Mail Steamship Company's dock and steamers," to demolish the Chinese

quarter with dynamite bombs, to incite the use of "infernal machines" for the destruction of marked men, and openly to advise the use of bludgeons and firearms. The militia was invoked, a man-of-war sent to protect the mail docks;—the firebrand orators were again thrown into prison.

As the result of a special committee's activity, the legislature passed an act making it a felony to utter language, under certain conditions, with intent to incite a riot, to commit acts of criminal violence against person or property, or to advise or encourage the same.

On January 21 the Workingmen's Party opened its first state convention. Kearney was made permanent chairman and a platform was adopted which inveighed against a government that "has fallen into the hands of capitalists and their willing instruments"; against Chinese cheap labor as "a curse to our land, a menace to our liberties"; and against "a corrupt ring of land monopolists," who had "appropriated vast tracts of the fairest land on earth to themselves." In the light of subsequent developments the platform is of genuine interest, one of its planks reading, "Eight hours is a sufficient day's work for any man, and the law should make it so." It was declared that the common school system was "the foundation of our civilization, and it will be forever cherished by the Workingmen's Party."

The new party had become in truth a powerful factor in state politics, exercising also a potent influence in certain municipal elections. The press did not fail to recognize its force. But meanwhile the elements of disintegration had begun their work. A rumor gained circulation to the effect that Kearney had accepted some railroad money, and there were whisperings of venality. The personal integrity and party loyalty of the domineering leader were challenged,—and, did he not seek to have himself

made dictator? Suspicion turned to consternation when, after an altercation, he was expelled from the state committee, then actually removed from his place of leadership, charged with corrupt practices and an attempt to advance his private ends by means of the organization with whose leadership he had been entrusted. The upshot was a spectacle of two rival state conventions held in different halls in San Francisco. It remains only to record that on May 17, 1880, the last state convention of the Workingmen's Party met to elect delegates to the National Greenback Convention in Chicago. The San Francisco convention split on national issues, ending in the impotent decision of each branch to send delegates to Chicago.

The personal force and political influence of the sand-lot orator cannot be minimized. Many of the measures advocated under his leadership were advanced and progressive, and some of them—as in the famous points of English Chartism—have in more recent years been engrafted upon our regular industrial order and political system. Great impetus was given to the organization of labor; the eight-hour labor day was staunchly pioneered; there was consistent advocacy for the common school system, particularly for industrial and vocational education; land monopoly and aristocratic capitalism were unsparingly denounced; above all, Kearneyism played a leading rôle in bringing the anti-Chinese agitation to a climax not only in California but likewise in national councils. It may be said that Kearney's "skyrocket sort of notoriety," with all the excesses and eccentricities of "sand-lot politics," was on the whole fairly typical as growing pains of certain conspicuous aspects of the youthful giant commonwealth of the Pacific.

Preparations for the Constitutional Convention

On September 5, 1877, the electors of California voted on the question of holding a convention for the purpose of revising the state constitution. Governor William Irwin declaring that a majority had voted affirmatively, an act for the calling of the convention became law April 1, 1878; and on June 19 the election of delegates was held.

The Constitution of 1849 had endured beyond the expectation of its framers, but its inadequacy to meet the multifarious needs was now fully recognized,—indeed the legislature had several times recommended to the people the desirability of a new constitution, but each time its proposal was rejected. The defects of the old constitution, such as its inadequate regulations concerning taxation and finance, the lack of proper safeguarding of the public domain and the absence of a good apportionment system, were undoubtedly exaggerated, and the real issues were obscured by the mixed questions and active propaganda of the time.

The state committees of the Republican and Democratic parties met in San Francisco in April in an effort to fuse and to nominate a joint ticket of non-partisan delegates, though actual agreement was found difficult of attainment. In a majority of the counties the parties made joint nominations. But while the Republicans and Democrats were trying to get together, the Workingmen's Party was facing disintegration.

The result of the election of June 19 was that a relatively small number of men of conspicuous ability were selected as delegates: viewed as a whole the delegates would not compare very favorably with the men of '49, nor can it be said that they were as free from the scheming of political leaders. Republicans and Democrats

generally agreed to oppose the radicalism of the Workingmen's Party. A poll of the personnel showed seventy-eight non-partisans, fifty-one workingmen, eleven Republicans, ten Democrats, and two independents. The Granger movement was represented by a number of country delegates.

The Convention at Sacramento

All sorts and conditions of men were to be found in the convention, which met in the Assembly Chamber of the capitol building September 28, 1878, and was called to order by Governor Irwin. Lawyers predominated, with fifty-nine delegates; farmers came next, with thirty-six; a wide range of labor and business callings had at least one representative each. Thirty-five delegates were of foreign birth. Joseph P. Hoge, a former Congressman from Illinois and superior judge of San Francisco, was chosen president, Joseph A. Johnson, elected secretary, later resigned and was succeeded by Edward F. Smith.

The general discontent of the time found frequent expression on the floor of the convention. Points of order, —sometimes over trivial matters,—appeals from the chair's decision, and questions of personal privilege consumed not a little time. There was prolonged and animated discussion on the question of "Phonographic Reporters": after hours of dreary debate a speaker rebuked the delegates for spending an entire session talking about that subject!

The Committee on Rules and Order of Business, headed by Morris M. Estee, presented an elaborate report comprising seventy-three rules and providing for thirty standing committees, which report was adopted October 8. Then came propositions for constitutional provisions in almost endless variety. Nearly every workingman had at least one to present.

Major Issues

A topic of major importance was that of revenue and taxation. After various proposals had been made, such as the non-payment of taxes on indebtedness, a poll tax as a qualification for suffrage, and an ad valorem tax on all property, an income tax, and a graduated tax on estates of deceased persons, it became evident that the main contention was regarding the taxing of mortgages and solvent debts. William W. Moreland of Sonoma proposed a clause by which "bonds, notes, mortgages, evidences of indebtedness, solvent debts, franchises and everything of value, capable of transfer or ownership" would be considered property and taxed accordingly. The opposition was led by Samuel M. Wilson of San Francisco, who would have taxation confined to property having tangible existence, holding that debts, being creatures of the mind, were not proper objects for taxation; to tax mortgages would add to the burdens of the farmers and mortgagors,—the proposed measure would double taxation and set back the state's development a decade. The Moreland amendment was lost, though to a large extent its main purpose was accomplished by the complicated article finally adopted, which was clearly the result of compromise, as indicated by the fact that no other article was more susceptible of divergent judicial interpretations nor more frequently amended in subsequent years. A State Board of Equalization was created, to consist of one member from each Congressional district, whose duty was to be "to equalize the valuation of taxable property in the several counties, and also to assess the franchise, roadway, road-bed, rails and rolling stock of all railroads operated in more than one county in the state."

Corporations and Banks

Respecting corporations, it was obvious that the combination between the workingmen and the Grangers was operating, although complete unanimity could not be claimed. On no question was there more debate. A Railroad Commission with extensive powers was created, to consist of three members, to be elected at gubernatorial elections.

It will be remembered that in the convention of 1849 extraordinary opposition to banks had been manifested. In the interval local banks had been found essential to the farmer: moreover, stockholders and directors were largely local men with interests identified with the neighboring agriculture. The Grangers now sided with the country bankers, while many non-partisans made common with the workingmen in attacking city banks. David S. Terry's proposition making directors or trustees liable to creditors and stockholders for moneys embezzled or misappropriated by officers evoked prolonged discussion. When a vote was forced it was found that the measure was carried by a considerable majority. The dire prediction about all bank owners and directors leaving the state proved to be a false prophecy.

The proposal for the eight-hour day for public work was the signal for more warm debate. "Eight hours shall constitute a legal day's work on all public work,"—here indeed was the essence of radicalism! Eugene Casserly represented a very advanced point of view when he pointed out that the best judgment after scientific study favored the eight-hour labor day. In spite of a delegate's statement that he was working "pretty nearly fifteen hours a day," the majority voted that the eight-hour day was right for the workingman. Nevertheless the fear expressed that contract labor would tend to nullify

day's work proved to be well grounded—bringing a situation which was only corrected in 1902 by an amendment applying the eight-hour principle to contract labor.

Party lines disappeared in the consideration of certain problems of education. Estee declared the educational interests to be the most important of all, to be treated with commensurate dignity. A limitation against teaching any language but English was, after spirited discussion, stricken out. The public school system was defined as including "primary and grammar schools, and such high schools, evening schools, and technical schools as may be established." It is unnecessary to point out the numerous amendments that have from time to time modified the California public school system. The University of California, contemplated by the men of '49, had been formally created by act of March 23, 1868, which explicitly directed that it should be "entirely free of all political and sectarian influence," also that all departments should be open to students of both sexes. The convention entertained a sincere regard for the cause of education.

Treatment of the Chinese

California's constitution is remarkable for its treatment of the Chinese. The debate on this question, in an atmosphere surcharged with "sand-lotism," afforded a unique opportunity for histrionic pyrotechnics. Small chance had the "heathen Chinee" for a hearing on the floor of the convention. Yet perhaps the most notable speech of all the many that were made was a dignified protest against engrafting a single anti-Chinese section into the constitution, delivered by Charles V. Stuart of Sonoma, who for two months had said nothing from the floor and to whom politics was positively distasteful.

Stuart's voice was overwhelmed in the ocean of opposition. The vast majority were adamant in uncompromis-

ing hostility to Chinese immigration, though not all were rabid men of the type of Dr. C. C. O'Donnell. John F. Miller, chairman of the special committee, clearly admitted the lack of agreement on various sections reported, but stated that the committee was unanimous on the proposition that Chinese immigration was an evil; and he pointed out that the only practical method of securing exclusion was by national enactment. Appropriate memorials were drawn for presentation to Congress.

Leading workingmen were far from satisfied: they clamored for more drastic measures by the state; "and, if not by the state, then by the people"—suggestive of mob violence. One delegate expressed the wish to incorporate in the fundamental law of California Kearney's slogan, "The Chinese must go!" A number of anti-Chinese sections were adopted almost unanimously. Section 2, forbidding the employment of Chinese by corporations, was later held to be in conflict with the national constitution, and therefore void. Section 3 forbids their employment "on any state, county, municipal, or other public work, except in punishment for crime." Sweeping condemnation of Asiatic "coolieism" as "a form of human slavery" is found in Section 4.

Other Debates

There were champions of woman suffrage, like James J. Ayers, who pleaded for the political equality of the sexes, and A. P. Vacquerel, who stoutly maintained there was no question of superiority between the sexes,—"The only difference is in the diversity of aptness to perform the same duties." But theirs were like voices in a wilderness:—woman suffrage in California was not achieved until 1911. The legislature is forbidden to pass local and special laws in any of a large number of enumerated cases, such as punishment of crimes and misdemeanors,

granting divorces, assessment and collection of taxes, and exempting property from taxation. The basis of valuation under the right of eminent domain received special attention. Definition of the water rights of the state was a matter of genuine importance, the use of water appropriated for sale, rental, or distribution being declared "a public use, and subject to the regulation and control of the state, . . ." A section safeguards the public interest by declaring that "All tide lands within two miles of any incorporated city or town of this state, and fronting on the waters of any harbor, estuary, bay, or inlet, used for the purposes of navigation, shall be withheld from grant or sale to private persons, partnerships, or corporations." The spirit of democracy is reflected in the familiar propositions of the Declaration of Rights.

The Constitution Completed

The convention continued its sessions one hundred and fifty-seven days. It was March 3, 1879, when the engrossed copy of the new constitution was presented for signature. It was to go into effect on July 4, so far as election of officers, commencement of terms of office, and the meeting of the legislature were concerned, and for all purposes at noon, January 1, 1880. On the final vote it was adopted as a whole by 120 to 15, with two pairs and 16 absent or not voting. The convention adjourned *sine die*.

Two months later, in spite of much opposition by many intelligent and conservative citizens and a majority of nearly 16,000 against it in San Francisco, the new constitution was adopted by the state as a whole by a majority of nearly 71,000 votes, thus becoming the fundamental law of the commonwealth.

Little enthusiasm was shown for the document. The political make-up of the convention was "as varied as

Joseph's coat": the result achieved failed to inspire the genuine admiration of any of the component groups; in the main it failed to achieve the particular objectives set up. The effect upon corporations proved disappointing, the relations between capital and labor were no less strained than before, and there was no satisfactory solution for the problems of revenue and taxation.

California's constitution is more than seven times as long as the constitution of the United States. It has been modified by innumerable amendments, rendering it seriously unwieldy. Many of the amendments are held to be statutory in character, having no rightful place in the organic law. Yet in the hands of a resourceful people, its defects are overbalanced by its practical virtues, and the progress of the state has continued uninterrupted.

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Part VII

POLITICAL AND SOCIAL PROGRESS

Chapter XL

EVENTS FOLLOWING THE CIVIL WAR

Leland Stanford as "War Governor"

As "War Governor" of California Leland Stanford faithfully upheld the loyal principles of his party and contributed generously to the Union sentiment that pervaded the state. The legislature enacted numerous measures calculated to break down the force of secession. Thus it made it a misdemeanor "to display rebel flags or devices," "to profess adherence to the enemy or endorse, defend, or cheer any attempt of any other person to subvert or destroy the lawful authority of the United States in any state thereof," and laws were enacted "to exclude traitors and alien enemies from the courts of justice in civil cases."

Numerous enterprises of importance were launched during 1863. In the field of transportation ground for the Central Pacific was broken at Sacramento, and the San Francisco and San José Railroad was opened for operation. The autumn election of that year, largely through the influence of John Conness—successor of Milton S. Latham in the United States Senate—resulted in the choice of Frederick F. Low instead of Stanford for governor. Meanwhile the loyal leaders had dropped the name Republican, while the Union Party sought the support of all loyal citizens.

Governor Low, who defeated John G. Downey, the Democratic nominee, by about 20,000 votes, was inaugurated December 10, 1863. He consistently maintained an attitude of loyalty to the Union, promptly endorsing each measure of the national administration for

the suppression of rebellion. But toward United States Senator James A. McDougall deep resentment was felt because of his asserted failure to represent the Union spirit of the state, culminating in formal resolutions of censure adopted by the legislature, charging wilful "misrepresentation of the wishes, opinions, and habits of the people of California."

Intelligence of the re-nomination of Lincoln was received in California with intense enthusiasm. The fall election resulted successfully for the Union candidates and Lincoln's victory over McClellan by more than 18,000 votes. The war ended, the Union Party dissolved into its component parts—Republicans and Douglas Democrats; though many anti-slavery Republicans had not joined the Unionists, while some Douglas Democrats now joined themselves to the reorganized Democracy.

Senatorial Contest of 1865

In 1865, Low being a candidate to succeed McDougall in the Senate, there was serious division among Unionists, the two wings being styled the "long-hairs" and the "short-hairs." A violent demonstration of the bitterness felt was afforded at the county convention in Sacramento, where the two parties engaged in a free-for-all fight, in which hickory canes were vigorously wielded. A contemporary account says, "Spittoons flew from side to side like bombshells on a battle field. Inkstands took the place of solid shot. Pistols were drawn and used as substitutes for clubs. The principal weapons, however, which were used by both sides were the cane-bottomed arm chairs, which were of course within the reach of every one." After the five-minute battle, the Low men (short hairs) were in possession of the field. Nevertheless Low was impelled to withdraw, expressing "a desire to allay rather than increase the bitterness of feeling."

In December Cornelius Cole, a staunch loyalist who had just served a term in the lower house, was elected to succeed McDougall, whose term expired March, 1867.

The overshadowing issue at the opening of the gubernatorial campaign of 1867 was the Chinese question. The candidates were George C. Gorham, John Bidwell, Caleb T. Fay, and Frank M. Pixley,—all well-known names in California politics. The convention of the Union Party met at Sacramento June 12, Gorham receiving the nomination over Bidwell by a close vote. It was alleged that the Union men of the interior had been deprived of proper representation: with the support of a large number of newspapers a movement was launched which culminated in the reorganization of the Republican Party and the unanimous nomination of Bidwell for governor. Having been once in the field, however, Bidwell firmly declined, and later Caleb T. Fay, a native of Massachusetts, accepted the nomination. The contest was one of the most exciting and bitter ever witnessed in the state. The Democratic convention met in San Francisco June 19, and Henry H. Haight, a native of Rochester and a Yale graduate, was nominated for governor without opposition.

The three-cornered fight was exceptionally spirited, Haight being elected in the September election by nearly 10,000 votes over Gorham, with Fay a bad third. It was the first defeat of the Union Party, whose extinction was signalized after an unselfish and patriotic career in California;—Fay was sacrificed as a victim of dissension, feud, and untoward circumstances. Haight's election was regarded as a vindication of the policy of putting the Democratic Party on a patriotic constitutional basis in the recent presidential campaign. Haight had been one of the straightest of the "straight Republicans," and had

voted for Lincoln in 1860: later he became a pronounced Democrat, supporting McClellan in 1864.

The eight-hour work-day bill received Governor Haight's approval in February, 1868; but in the face of business depression the advantages of the plan were put to severe test, and as a result of judicial decision the law became "little more than the enunciation of a principle." For the first time in years the legislature was Democratic. After a lively contest Eugene Casserly, a native of Ireland, was elected to the Senate as successor to Conness. A man of good character and marked scholastic ability, Casserly was not so highly gifted as a popular orator or manager. His resignation in 1873 came as a distinct surprise.

In the campaign of 1868 the Republicans still clung to the name Union. General Grant was universally recognized as the choice of the Union-Republicans for the presidency. The contest proved to be so close in California that Grant and Colfax won over Seymour and Blair by a scant majority of 500 out of a total of 108,000 votes. The election of Grant established the Republican Party on a firm foundation: for the next twenty years California consistently voted for Republican presidents, while in state and local politics the party experienced many vicissitudes and not a few reverses.

Gubernatorial Campaign of 1871

The selection of gubernatorial candidates began to be actively agitated early in 1871. Renouncing his intention not to aspire to a second term, Governor Haight permitted his name to be presented; in the meantime much opposition had developed against him because of the hostile attitude he was believed to have assumed on the question of state aid to railroads. Three factions of the party developed, and as the campaign advanced it became diffi-

cult to determine which of the several local tickets represented the "Simon-pure democracy." The Democratic convention met at Sacramento June 20 and adopted a long and characteristic platform, declaring for a universal amnesty for all political offences, a tariff for revenue only, uncompromising opposition to railway subsidies, to the granting of public lands to others than actual settlers, and to the immigration of Chinese laborers. Haight was re-nominated without opposition.

A week later the Republican convention met in the Assembly Chamber and Newton Booth, a native of Indiana, was nominated without opposition, Thomas H. Selby, his principal rival, withdrawing from the race. Avoiding an earlier mistake, the party declared against "subsidizing of railroads or other private corporations by grants of public lands," and extended to the newly enfranchised citizens "a cordial welcome to the rights of citizenship now permanently secured to them after a hard-fought struggle with their old oppressors."

The September election resulted in a Republican victory, Booth's majority being about 5,000. In February, 1875, the governor resigned to take his seat as Senator to succeed John J. Hager, who served out Casserly's unexpired term. As a result of the national campaign of 1872 in California, Grant and Wilson were given the electoral vote by a large majority.

Dolly Varden Party

By the close of the year 1873 most of the farmers' clubs, which had become quite numerous in California, had been absorbed by the secret order styled Patrons of Husbandry, or the Grangers, an organization that exerted considerable influence in state politics, especially with reference to such matters as railroad freight rates and the reduction of public expenditures. More and

more did the railroad question come to the place of first importance in political campaigns. Governor Booth, who has been accounted one of the state's most successful administrators, was recognized as the head of a strong anti-railroad, anti-monopoly party, though his pronounced attitude was by no means satisfactory to all Republicans. Indeed, there came an open split, when the name Independent Taxpayers' Party was adopted by the committee representing the seceders, whose object was "to elect members to the legislature who would command the confidence of the whole people, and who would be free from the control of rings and corrupt combinations." Those who opposed the new party dubbed it the Dolly Varden Party. Standing as it were between the Republicans and the Democrats, its cardinal principles were the destruction of the power of monopolies, the regulation of railroad fares and rates, and the devising of an irrigating system that would benefit the entire state. The Dolly Vardens gained such momentum that they were generally successful in securing the election of their candidates in the September election.

State Campaign of 1875

In 1875 four prominent candidates appeared for the governorship. These were William Irwin (Democrat), Timothy G. Phelps (Republican), John Bidwell (Independent) and William E. Lovett (Taxpayers Temperance Reform Party). Independents and Taxpayers drew their chief strength from the Republicans. Bidwell, a pioneer of 1841, was well known throughout the state, but during the campaign was vigorously opposed by the Central Pacific Railroad and subjected to the repeated charge of being a land grabber and land monopolist. As was inevitable under the circumstances, the Democrats proved to be easy victors; Irwin was elected by a large plurality. He was inaugurated December 9, 1875, suc-

ceeding Romauldo Pacheco, who had served out the unexpired term of Newton Booth. It was during the administration of Governor Irwin that the Workingmen's Movement, and the Kearney excitement described on previous pages, reached their height, also that the second Constitutional Convention met and drafted for the state a new fundamental law.

In the matter of party regularity California cannot boast a high degree of orthodoxy. Many and kaleidoscopic have been the reorganizations of the old parties and adventures into the new. It has been a common occurrence that before a certain new alignment could become familiar to the people a still newer sentiment for readjustment or reform has arisen,—perhaps a new party has been formally launched only to be overwhelmed, in turn, by a fresh demand to restore and solidify one of the old parties.

Parties and Platforms in 1879

Immediately after the popular ratification of the new constitution, there was held, May 10, 1879, a mass meeting at Stockton whose object was the formation of a new party composed of men agreeing to support the new constitution. A week later leaders met in San Francisco under the chairmanship of Cornelius Cole and organized the New Constitution Party. Hugh J. Glenn was nominated for governor, over J. V. Webster, and a full ticket was placed in the field. As was to be expected, the workingmen were opposed to the new party movement, refusing to abandon their own organization. In their platform they extolled the dignity of labor, demanded a system of compulsory education, and declared against land monopoly and the national banks. William F. White was nominated for governor.

The Republican convention met at Sacramento, the state committee having already pledged the party to a

faithful interpretation and administration of the new constitution. George C. Perkins, a prosperous business man, was nominated for governor over Horace Davis, George S. Evans, and John F. Swift. After several weeks of hesitation, the Democrats held a convention at Sacramento and Hugh J. Glenn received the nomination for governor unopposed. There followed much discussion with reference to consolidation with the New Constitution Party; the committee finally determined that Glenn's name should not be withdrawn. Still another ticket was placed in the field,—that of the Prohibition Party, headed by A. G. Clark. Later, however, this ticket was withdrawn by the central committee.

The result of the campaign was the election of Perkins by a plurality of more than 20,000 over Glenn, White running a close third. This result spelled disaster and final downfall to the New Constitution Party.

Because of the readjustment consequent upon the adoption of the new constitution, the next election was held in 1880. Conventions were held, respectively, by the Republicans, the Democrats, the Workingmen, the Prohibitionists, and the Greenback Labor Party. By very slim pluralities five Democratic presidential electors were chosen, and Henry Edgerton was selected the sole Republican elector. On January 12, 1881, General John F. Miller, Republican and native of Indiana, was elected Senator to succeed Newton Booth, the defeated candidates being William T. Wallace and Henry George. Dying in office in 1886, Miller was succeeded by George Hearst (Democrat), appointee of Governor Stoneman.

Issues of 1882

In the Democratic convention of June, 1882, a sweeping declaration against the "ever-increasing evil" of the presence of the Chinese was adopted, demand was made

for a reduction of railroad rates and fares, for prohibition of railroad discrimination, and for the revocation of all railroad grants "forfeited by reason of the non-fulfillment of contracts." Fourteen ballots were required before there was a choice for the governorship, when George Stoneman was nominated over Hearst and lesser candidates.

Likewise the Republicans in convention declared themselves "unalterably opposed to Chinese immigration," expressing gratitude for the national exclusion act. On the railroad question, which had come to be exceedingly prominent in California politics, there was more restraint and guarded expression than was shown by the Democrats. Morris M. Estee received the nomination for governor on the first ballot.

The Prohibition Party held a convention in San Francisco in July, which, after adopting a report of the committee on resolutions, adjourned to await the action of the Republican convention. Reassembling in September, the convention nominated R. H. McDonald, a San Francisco banker, for governor. The Greenback Labor Party had a stormy convention in September, nominating Thomas J. McQuiddy for governor. Still another convention was held by the Grangers, but they made no nomination for governor.

The November election resulted in the election of Stoneman by a substantial plurality over Estee, McDonald being a weak third.

Political Events to 1900

In the presidential election of 1884 the Republicans won the electoral vote for Blaine and Logan and elected five of the six congressmen, besides gaining control of the state legislature. The question of foremost importance to the agricultural interests was that of the equitable dis-

tribution of water for irrigation at reasonable cost. Governor Stoneman called an extraordinary session of the legislature for the purpose of proposing amendments to the constitution: fearing the creation of a huge monopoly that might become even more oppressive than the railroad, the senate refused to approve the proposed measure and the plan was abandoned.

Meantime Leland Stanford (Republican) had been elected to the Senate to succeed James T. Farley. He served his full term (1885 to 1891), was re-elected, but died in office June 21, 1893. His name will always be conspicuous in California as railroad builder, politician, and philanthropist. At the extra session of the legislature A. P. Williams (Republican) was elected to serve out the balance of Senator Miller's term; thus Hearst found himself supplanted after a sojourn in Washington of but a few months. However, he was later regularly elected to the Senate and he died in office, February 28, 1891.

In the campaign of 1886 there appeared a multiplicity of parties and candidates. Besides the Republicans and Democrats, the Prohibitionists, the United Labor Party, the Farmers, and the American Party made their respective bids for the suffrage of the voters; while the Anti-Chinese and Irrigation conventions were far from being devoid of political significance. The Democrats won the election of Washington Bartlett as governor. Bartlett had served as San Francisco's first American *alcalde,* and he was mayor when elevated to the governorship. He died in office September 12, 1887, and was succeeded by R. W. Waterman (Republican).

Arrivals in California overland during 1886-88 averaged 5,000 per month. In view of the great influx of aliens there developed among men of independent spirit a movement of Americanism not only against the

Chinese but against foreigners generally. "The front door has been off the hinges long enough," declared many true sons of California: demand was made for the repeal of the naturalization law, for a refusal to receive persons not in sympathy with the principles of the American Government, and for statutes forbidding aliens and non-residents from owning real estate in this country. The American Party failed to win more than a comparatively slight minority of votes in California; but it touched a popular chord and reflected the patriotic sentiments of many individuals.

In 1888 all the Republican nominees were elected with the exception of two of the six congressmen. The presidential electors cast their ballots for Harrison and Morton. Two years later Henry H. Markham (Republican) was elected governor by the meager margin of 800 votes over E. B. Pond (Democrat). John Bidwell, nominee of both the Prohibition and American parties, received 10,073 votes. The People's Party was organized in California at Los Angeles in October, 1891, the delegates representing the Farmers' Alliance, Patrons of Husbandry, and other agricultural, labor and reform organizations. The platform declared for government ownership, woman suffrage, and free and unlimited coinage of silver. At its second convention, held in Stockton June 1, 1892, nominees for presidential electors and delegates to the national convention were chosen. The vacillations of California politics were again illustrated when eight Democratic electors and one Republican were chosen; of the congressmen three were Republicans, three Democrats, and one from the People's Party, endorsed by the Democrats.

In 1894 the state administration again became Democratic when James H. Budd received a slender plurality over Estee. In the meantime Charles N. Felton (Repub-

lican) had been chosen to serve out Hearst's unexpired term in the Senate and George C. Perkins (Republican) to serve out the remainder of Stanford's term. In January, 1893, Stephen M. White (Democrat), a brilliant Los Angeles attorney, was elected to succeed Felton, serving his full term, to 1899.

Numerous parties were again in evidence in 1898, including, besides Republicans and Democrats, the Peoples' Party, Prohibitionists, Socialist Laborites, Silver Republicans, and Union Laborites. Henry T. Gage (Republican) won the governorship over James G. McGuire (Democrat) by nearly 20,000 votes. In 1897 Perkins was elected to succeed himself in the Senate, serving out his full term. The legislature of 1899 failing to elect a successor to Senator White, Thomas R. Bard (Republican) was selected at an extra session, in February, 1900.

California entered the eventful twentieth century in a quiet, non-spectacular manner, under a Republican administration, with both United States Senators of the same party. The purely political annals of much of California's history do not constitute a particularly proud boast of the Golden State:—they reflect perhaps the least Californian part of California's historic development. Hubert Howe Bancroft has said with truth, "To judge California by the history of the state and municipal politics, would be to misjudge her."

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Chapter XLI

TREATMENT OF CALIFORNIA INDIANS

WHEN Commodore Sloat raised the Stars and Stripes at Monterey in 1846, there were probably upward of 100,000 Indians in Alta California. Everywhere they were to be found,—literally dozens of small tribes, for example, dwelt in the great Sacramento basin. If secularization of the missions had brought serious decrease in numbers, the losses during the gold period were devastating and appalling. From 1849 to 1856 the decrease has been fixed at 50,000. The fate of the California Indians has been indeed melancholy.

Outrages by Whites

Hunters and trappers had not hesitated to commit frequent outrages upon them. It is said that one pioneer "boasted of his prowess in killing Indians, and the handle of the tomahawk he carried had nearly a hundred notches to record the number of his Indian scalps." As an evil concomitant of close contact with the dominant whites, disease and brandy conspired with bullet and knife to compass the degradation, if not extermination, of scores of tribes. Pulmonary diseases and insidious ailments wrought a havoc more dreadful than outright war: smallpox swept away whole villages of hapless victims.

Rarely had the Indians living on the estates of the Mexican grandees been disturbed in pre-American times. In accordance with an old Spanish regulation, the *expediente* frequently contained a clause for their protection; but when the easy-going Mexican transferred his grant

to the aggressive *gringo,* the ranch Indian did not usually fare so well,—it was not conceded that the savages enjoyed any usufructuary or other rights in the land. It is not clear that the United States ever admitted an obligation to treat with the Indians "for the extinguishment of their title." Americans commonly paid no more heed to their presence on so-called government lands than if they were so many foxes or coyotes. Strong and vigorous young men, well armed and masterful, inheritors of the traditions and prejudices of two centuries of border warfare, were in no mood to acknowledge any rights whatever as inhering in the California aborigines, to whom they mistakenly applied the contemptuous name "Diggers."

Driven from their homes and from the land of their fathers, they fled like hunted beasts to inaccessible and desolate spots and secret lairs. The picture of their treatment by the American Government as well as by many early settlers is a picture filled with somber hues. Almost without exception the remnant of the Mission Indians were peaceable and submissive, even when compelled to retreat again and again to some new refuge. Theirs was a story "of almost incredible suffering and patience under wrongs."

Notwithstanding that most of the California Indians were submissive, quite devoid of the fierce, warlike quality of the noble red man of the east, some of the northern tribes were bold and intrepid warriors who bitterly resented the intrusion of the whites and preferred death to tame submission. This spirit of resistance it was, together with depredations upon the property and live stock of the Americans, that brought on the so-called Indian wars. The simple, aboriginal method of retaliation by killing the first white man met after suffering an outrage not infrequently brought on that swift and sure retribu-

tion of the miners—the literal wiping out of the entire *rancheria.*

In the boisterous towns and cities the Indians fared badly. As laborers their wages were only half those paid to whites, while conditions under which they worked were often unspeakable. Even worse, however, were the disastrous effects of their immoderate gambling and frightful addiction to fire water. "Never in the poorest huts of the most poverty-stricken wilds of Italy, Bavaria, Norway, and New Mexico," protested Helen Hunt Jackson, had she seen anything "so loathsome as the kennels in which some of the San Diego Indians are living." For years, it must be confessed with shame, almost nothing was done in a comprehensive way for the amelioration or redemption of the unfortunate outcasts.

Policy of the Federal Government

As early as 1849 the Federal Government took steps to develop an Indian policy for California. Thomas Butler King was commissioned to study conditions and collect data; Adam Johnston was made Indian sub-agent for the Sacramento-San Joaquin area; William Carey Jones was instructed to make a study of land titles and to inquire into the nature of previous Indian rights, indicating the "difference between the privileges enjoyed by the wandering tribes and those who had made 'actual settlements' and established 'rancherias.'" In 1850 a United States commission was appointed consisting of Redick McKee, George W. Barbour, and Oliver Wozencraft. After encountering numerous difficulties the commissioners, aided by the hunger and dire necessities of the Indians, succeeded in reaching agreements to eighteen treaties signed by chiefs and head men of more than a hundred tribes and bands, representing practically the total Indian popu-

lation of the state. They agreed to accept the sovereignty of the United States and to keep the peace, refrain from acts of retaliation, to accept reservations,—eighteen in number, aggregating seven and a half million acres,—and to quit-claim and cede their rights in the lands to the government. The government agreed to pay the Indians certain sums in agricultural implements and other goods, to retain the reservations for the Indians' use in perpetuity, and to provide skilled instructors and supervisors in farming, blacksmithing and wood-work. These treaties were duly transmitted by President Fillmore to the Senate; but failing of ratification, they reposed in the archives of Congress for over half a century before the injunction to secrecy was removed; in the meantime they had been forgotten by everybody but the Indians, who claimed that they made prompt compliance with the terms imposed. The 7,500,000 acres dwindled to a pitiful half million acres, the great bulk of the lands having been acquired by the whites. The government made no subsequent attempt to form new treaties; nor did the Indians ever receive compensation other than limited gratuity appropriations.

In 1853 a reservation system was provided by legislation and appropriations were made. The first reservation was located at Tejon, a lovely valley of southern California: others were later established at Nome Lakee, in the Sacramento foothills, at the mouth of the Noyo River, on the Mendocino coast, and on the Klamath River south of Crescent City. For years the protests of miners, the cupidity of settlers, and the ambitions of politicians conspired to defeat or render ineffectual every measure calculated to bring any adequate solution to the Indian problem in California. Doubtless in numerous instances the Indians were decidedly troublesome, their atrocities

calling for condign punishment; but in the vast majority of cases the alleged treachery and wanton depredation were provoked by the atrocious deeds committed by whites. Moreover, most of the Americans placed in charge of Indian affairs during those early years were ignorant, place-seeking politicians totally unfit for their special tasks. A decent respect to the elemental qualities and tribal feelings of their wards would have gone a long way toward achieving success; but the tactless, brutish treatment often shown the Indians inspired feelings of desperate resentment and aroused strong desire to escape to their own loved lands.

Discovery of Yosemite

It was in connection with early Indian troubles that the Mariposa Battalion under Major James D. Savage discovered Yosemite Valley in March, 1851. Having established friendly relations with most of the Indians, Savage had failed to win the friendship of "a collection of outlaws and fugitives from various tribes" whose habitation was in the rugged mountains east of his camp. As a result of their depredations Governor McDougal caused the Mariposa Battalion to be mustered into service. J. Neely Johnson, acting as the governor's representative, counselled moderation, and accompanied by three federal commissioners, sought a peaceful settlement: but the depredations being redoubled, the battalion was ordered into line. A *rancheria* on the South Fork of the Merced was taken by surprise: the inhabitants surrendered, followed by others. But the Yosemites failing to put in an appearance, a detachment of volunteers was sent into the mountains to seek their hiding place. Suddenly the whites came to the present "Inspiration Point," in full view of the entrancing valley. One of these men was Dr. Lafayette H. Bunnell, historian of the expedition,

whose book is now widely known.[1] When he beheld for the first time the charming scene, "his eyes became suffused with tears and his whole being swelled with exalted emotions, such as he never felt before or afterward."

The surrender of Chief Tenieya with three hundred and fifty men was secured; but, with their cunning instinct, the Yosemites and Chowchillas slipped away while their guard slept, making necessary another difficult campaign. Only after the old chief's favorite son was shot dead did Tenieya finally submit, fiercely denouncing the manner in which his people had been despoiled. The Mariposa Battalion was mustered out of service June 25, 1851.

Indian Troubles in the North

For several years the history of northern California was marked by a succession of Indian troubles. In some instances the whites were undoubtedly justified in visiting swift punishment for murder and outrage: others are without palliation for the heartless brutality directed against innocent and unoffending savages.

Following the serious difficulties in the northwestern counties during the Civil War period, there ensued what is known as the Two Years War. But in January, 1865, all the hostile Indians of Trinity County surrendered; and later the remnant from Klamath and other counties did likewise. About 2,000 Indians were ultimately placed upon the Hoopa Valley Reservation, and undisturbed peace reigned so far as the Humboldt district tribes were concerned.

[1] Bunnell, Lafayette H., *Discovery of the Yosemite.* 1880. It is not unlikely that the first white men to look upon the Yosemite were members of the Walker expedition of 1833; though it seems certain that this party did not actually enter the valley. It is possible that hunters went down into the valley as early as 1844. But "the effective discovery of the Yosemite," says Kuykendall, "was made in 1851 by members of the Mariposa Battalion while in pursuit of hostile Indians." Then it was that the marvelous Yosemite "was forced upon the attention of the pioneers."

The Modoc War

Last and most dramatic of the Indian troubles was the Modoc War. The difficulties involved extended back to 1852, but the culmination came two decades later. Published accounts exhibit wide divergence of opinion as to motivating causes as well as to many statements of fact.[2] The first Modoc bloodshed by whites is reported in retaliation of a treacherous attack by Pit River Indians, resulting in the death of several unsuspecting women and children as well as men. In the autumn (1852) an immigrant train *en route* to California was attacked at midnight by Modocs, and nearly half of the party were killed or wounded. The miners raised a cry for vengeance,—extermination of the savages was demanded.

Then follows the "Ben Wright Massacre" of Modocs who had been thrown off their guard under the pretext of making peace, the white leaders being convinced that the Indians intended treachery. Ben Wright was thenceforth by many accounted a hero, but the surviving Modocs never forgot what they claimed to be infamous and unprovoked butchery. Hostilities continued intermittently for more than a decade: in 1864 the Modoc remnant, under treaty, accompanied the Klamaths to the Klamath Indian Reservation in southern Oregon.

In a little while the restless spirit of Chief Kientepoos ("Captain Jack"), aroused by indignities by the overbearing and hated Klamaths, developed into a consuming ambition to lead his people back into their former heritage in the Rhett Lake country. The flames of discontent in the breasts of companions finally encouraged him to raise

[2] A remarkable account is given by Jeff C. Riddle, son of Wi-ne-ma, a Modoc heroine, and Frank Riddle, an American miner. His book is entitled, *The Indian History of the Modoc War and the Causes That Led to It.*

the standard of revolt: with his followers he left the reservation to claim his home on Lost River.

After many overtures, Alfred B. Meacham, Superintendent of Indian Affairs for Oregon, succeeded in inducing Captain Jack to return to the reservation, where with two hundred Modocs he arrived in late 1869. The Klamaths were no less overbearing than before, nor were the Modocs less exasperated. One day in spring Captain Jack and his entire band again made their escape and again returned to their old camping grounds.

The thrilling details of the Modoc War cannot be recounted here. Pathos and tragedy are strangely blended,—incongruous admixture of the best and the basest in human hearts. On a November day in 1872 the brave-hearted Wi-ne-ma mounted her bay mare at Yreka and rode seventy-five miles to warn her people that the soldiers were coming and to urge them not to resist. But after an unfortunate clash precipitated when Scar-Face Charley refused to give up his pistol, resulting in bloodshed on both sides, the Modocs, at the order of Captain Jack, with their families, ponies, and other property, set forth for the lava beds to the southwest of Lake Rhett. Seldom have either soldiers or savages had stronger fortifications than the deep caves, guarded by jagged rocks and ledges, of the lava beds. The cost of dislodging a small band of fierce warriors from such a fortress was indeed frightful.

On January 17, 1873, Colonel Frank Wheaton advanced, believing it would be easy to drive out the redskins. Volley after volley fired into the rocks and fog had no effect upon the Indians who, concealed by their natural breastworks, poured a deadly fire into the charging Americans, whose stunning loss compelled quick retreat. Then the idea of a peace commission was again

suggested, resulting at length in the appointment of Meacham to head such a commission, with General E. R. S. Canby as counselor. A compact was entered into that while peace councils continued no act of war would be committed on either side.

Canby moved camp to the edge of the lava beds, one and a half miles from the Modoc stronghold, and a council tent was pitched between the opposing camps. At the Indian war council Captain Jack finally promised his fellow tribesmen, despite his alleged earnest protestations, to kill Canby,—his blood-thirsty warriors had placed a squaw's hat upon his head and taunted him as a coward and fish-hearted woman! Despite Wi-ne-ma's passionate plea to Meacham and Canby against going, the fatal peace council was held on Good Friday (April 11). It had been agreed that all should be unarmed: but not only had the Modocs brought their pistols, but two young warriors lay hidden in the bushes, their arms filled with rifles. At the awaited moment Captain Jack gave the signal for the murderous attack, himself slaying Canby, and Meacham being rescued by Wi-ne-ma only after receiving a serious wound.

There could now be but one end to the unequal struggle between the Indian remnant and a thousand determined soldiers. When the Modocs could hold out no longer, they made a last escape from the lava beds, then separating into two groups. The beginning of the end came when a band of leaders surrendered and became government scouts. Captain Jack himself was finally captured, and the Modoc War was ended. The battle-scarred chief, in whose career there are many things to excite our admiration in spite of his treachery, was, with his accomplices, tried by court-martial: and with them he paid the extreme penalty.

Recent Phases

The swift and relentless disappearance of the California Indians is both tragic and pathetic. Their decimation to 100,000 at the beginning of the American period, and to a straggling remnant of 15,500 at the opening of the twentieth century seems astounding and incredible. The terrible decline was due largely to the white man's greed for land. The story of the reservations from 1853 to almost our own day is not such as to excite sentiments of pride. When a certain reservation was found to contain valuable lands, politicians demanded sweeping changes: by 1880 the Indians were despoiled of the greater portion of their most desirable lands, driven forcibly from pillar to post, exposed to the desert heat and untold deprivations. To non-reservation Indians allotments were made under conditions that were seldom understood. In instances where Americans agreed to permit Indians to remain on certain lands, the promises were too frequently disregarded when titles were transferred, and the Indians were finally evicted.

During recent years, however, conditions have been considerably ameliorated; for some time the Indian population has been at least holding its own, and there is growing up a slowly increasing body of respected citizens of Indian blood. There has been a salutary development of Indian children and youth by means of education adapted to their special needs. The prominence given to the fundamentals of character building has brought marked improvement. Numerous reservation and non-reservation boarding schools have been established for their benefit; and, while the problem has been by no means fully solved, and while they are still held in quasi-captivity under the name of wards, the Indians have been granted unrestricted citizenship.

The improved condition in California is due, in no small measure, to the endeavors of several betterment organizations, such as the Northern Indian Association, the Indians' Rights Association, the Sequoia League of Los Angeles County, and the Indian Board of Co-operation. These voluntary organizations have made a generous contribution to the welfare and progress of a long-neglected people.

On June 18, 1901, the corner-stone of the Sherman Institute, near Riverside, was laid. This school, located on an attractive forty-acre site, was founded to afford the Indian children of southern California facilities in education and industrial training.

Scores of tribes have long since wholly disappeared, yet today some Indians may be found in a majority of California's counties. There are in all thirty-two reservations, with varying areas and populations. The special allotments are uniformly small, many of them quite worthless on account of the poor soil and lack of water. The bureau control of both the person and the property of the Indian is vigorously criticized as being both outgrown and un-American. Speaking by and large, the remnant of aboriginal Californians are almost literally compelled to compete with the squirrel for the acorns that fall from the kindly oaks in the autumn of the year.

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Chapter XLII

THE PROGRESSIVE MOVEMENT

THERE was nothing spectacular and little of noteworthy or exceptional character in California politics to signalize the ushering in of the twentieth century. This was during the administration of Governor Henry T. Gage (Republican): Thomas R. Bard (Republican) had entered upon his term as United States Senator in March, 1899, his colleague being George C. Perkins, also a Republican. Perkins succeeded himself in 1903, and in 1905 Bard was succeeded by Frank P. Flint, of the same party.

Opening Years of the New Century

In California the presidential campaign of 1900 resulted in a decisive victory for William McKinley over William Jennings Bryan, as well as for the Republican nominees for Congress. Two years later Dr. George C. Pardee (Republican), a former mayor of Oakland, defeated Franklin K. Lane (Democrat) for the governorship by a slender plurality. In 1904 California enthusiastically supported Theodore Roosevelt against Alton B. Parker with an unprecedented vote. At the ensuing gubernatorial campaign the Republicans maintained political control by electing James N. Gillett over Theodore A. Bell (Democrat).

Thus the Republican Party was quite uniformly in the ascendant during the first years of the century, though there was probably no great significance to the question as to which of the great parties was actually in power in California. It was popularly believed that the real group

in power was in reality neither political party, but the Southern Pacific Railroad corporation.

The Railroad in the Political Arena

This powerful organization was not greatly concerned with mere party labels; it showed little concern for party loyalty;—to the railroad it gave its first allegiance. The railroad had been influential, often a dominant factor in California politics for years: the state had gained considerable notoriety for its "machine" brand of politics. Indeed, the influence of the Southern Pacific was so widely pervasive as to be regarded as well-nigh ubiquitous; its power had come to be looked upon as quite irresistible. Even before the development of the Southern Pacific, the Central Pacific had been charged with being a "third party" in state politics, having "its leaders, its managers, its editors, its orators, its adherents."

The political activities of the railroad during virtually half a century constitute a significant phase of California history. At an early date the builders entered the field of eminently practical politics; methods employed by emissaries like William F. Herrin of San Francisco and Walter Parker of Los Angeles were as adroit and thorough-going as the sweep of their activities was wide and exhaustive. For years, in scores of towns and agricultural communities, few persons were to be found who had kind words for the great corporation.

The constitution of 1879 made provision for a Board of Railroad Commissioners, which remained virtually ineffective, however, so far as actual regulation of rates and fares was concerned. Sincere attempts at reform seemed like the beating of the feeble waves of a mill pond against a Gibraltar. The railroad had gained a practical ascendancy that seemed to render opposition futile. Its opposition to independent newspapers like the Sacramento

Union was crushing and remorseless. But popular sentiment against the "machine" did not subside: agricultural interests in particular became increasingly hostile because of the severe economic pressure. Gross discriminations and rebates to favored shippers were charged; the state commission itself was alleged to have fallen under the sway of the Southern Pacific. On into the opening years of the new century its power continued unbroken,—there seemed little hope for amelioration of political conditions.

At length the tide turned. As a result of the intense quickening of the public conscience of America by the moral impact of President Roosevelt, the renaissance of idealism found vigorous expression in California. A progressive or reform movement arose with startling suddenness. Municipal reforms in San Francisco and Los Angeles had profound influence throughout the commonwealth. The San Francisco "graft prosecutions" following the earthquake and fire of 1906, and the recall proceedings against Mayor Arthur C. Harper in Los Angeles served to arouse the people.

The Lincoln-Roosevelt League

On August 1, 1907, an organization was effected in Oakland known as the Lincoln-Roosevelt League, which was thenceforth to be head and front of the revolt against "machine politics." Its platform reflected the changing attitude toward socio-political issues that swept over the country, specifying the demand for emancipation of the Republican Party in California "from domination by the political bureau of the Southern Pacific Railroad Company and allied interests."

By dint of the great activity of the Progressive leaders a majority of "Reform" members were sent to both branches of the legislature. Important measures were

introduced; but competent leadership was lacking, and comparatively little was actually accomplished at the time.

State Campaign of 1910

The signal for a change came with the election of Hiram W. Johnson, a native of Sacramento, as governor, over Theodore Bell (Democrat) and J. Stitt Wilson (Socialist). The Lincoln-Roosevelt League had succeeded almost instantly in accomplishing what neither Republicans nor Democrats had been able to do in a generation. Progressive enactments, including those devices of direct legislation now familiar as the initiative, the referendum, and the recall, were put through the legislature of 1911 with unparalleled expedition. Previous to 1909 the political parties had held conventions for the purpose of nominating their respective candidates and preparing their platforms. Within the state and its subdivisions political organizations known as "party machines" functioned. These were frequently dominated by "bosses," through whom not infrequently the public good was sacrificed for the advantage of special interests. The first effective remedy for the evils of this situation was the passage in 1909 of the Direct Primary Law, which was amended in 1911 and again in 1913. By means of this device the nomination of candidates is secured by the voters themselves at the "primaries," without the interposition of conventions.

But in the minds of thousands the chief issue was whether the Southern Pacific could be driven out of politics and the "old machine" actually demolished. Through the militant force of the indefatigable governor undoubted political ascendancy had been won for the forces of reform. Meanwhile the railroad had on its own initiative greatly narrowed the scope of its political activi-

ties,—it was stated that the company had taken no part whatever in the campaign of 1910. Recognizing the disadvantages of the necessity of political operations, officials of the corporation later professed to have welcomed the opportunity for a consummation of its efforts "to divorce itself from its former relations to politics." Be this as it may, it is universally conceded that the dominance of the Southern Pacific "machine" in California politics came definitely to an end with Johnson's inauguration as governor. It remained for him as militant governor and for the Progressive legislature to put through such measures as could leave no doubt that henceforth the railroads were to be the servants of the people.

Social Legislation

Since 1910 much social legislation has been enacted in California. Included in this are a workman's compensation law with liberal provisions, a "blue-sky" law designed for the protection of the investor, a comprehensive civil service law, a law providing for mothers' pensions, provision for a legal minimum wage for women and minor children, and laws providing for non-partisan elections in counties and permitting cities and towns to adopt the commission form of government. Some citizens of good intention have undoubtedly been led to expect too much from such instruments of reform, forgetting that ideals of good government must first of all presuppose good and capable men in office. However perfect the devices of government may be,—and let them be as perfect as can be made,—government itself cannot permanently endure in the absence of an officiary composed of men of both character and integrity as well as ability and efficiency.

By virtue of the adoption of a constitutional amendment in October, 1911, the women of California were granted the suffrage on the same basis with the men. The

May, 1912, primary election acclaimed the immense popularity of Theodore Roosevelt and the Progressive movement. On October 3, the State Supreme Court barred from the Republican ticket the name of William H. Taft, with the result that in the November election Roosevelt's majority in California over Woodrow Wilson (Democrat) was so slight that two of the Roosevelt electors received fewer votes than the two highest Wilson electors. In the view of certain national leaders, as well as not a few state politicians, the Progressive movement in California, which resulted in a serious division of what was regarded as the normal Republican vote, was responsible for the failure to elect Charles E. Hughes President of the United States. The withdrawal of Hiram Johnson and a large following from the Republican Party, their aggressive activities as Progressives, and the subsequent return to Republicanism were the occasion for personal bitterness and a political rift which subsequent years have not wholly overcome.

Later Developments

In 1913 California officially declared for the popular election of United States senators, being the eighth state to ratify the seventeenth amendment to the Federal Constitution, which became effective four months later. The first Senator from California to be elected by popular vote was James D. Phelan (Democrat), a native of San Francisco, who had served as mayor of that city. His election in 1914 was facilitated by the almost evenly divided votes for Francis J. Heney (Progressive) and Joseph R. Knowland (Republican), and he served out his full term beginning March 4, 1915. Samuel M. Shortridge (Republican), a San Francisco attorney, was elected to succeed Phelan, entering upon his term March 4, 1921.

By the election of 1914 Governor Johnson, under the

banner of the Progressive Party, was returned to office by an overwhelming vote over John D. Fredericks (Republican), thus demonstrating the popularity of his Progressive policies and his personal powers as one of the country's most capable political campaigners.

California ratified the eighteenth amendment to the Federal Constitution by vote in the legislature in January, 1919, being the twenty-fifth on the list of states ratifying. The state had on several occasions voted on different phases of the prohibition question; numerous cities and towns, especially in the south, had long since adopted local prohibition; but, chiefly because of its large vineyards and wine interests, California as a whole,—and particularly the leading cities of the north,—had usually been considered a stronghold of the "wet" forces.

William D. Stephens, a Progressive Republican, who had been appointed lieutenant-governor to succeed John M. Eshelman, deceased, succeeded to the governorship, March, 1917, when Johnson was elevated to the United States Senate. Stephens thus became the "War Governor" for the period of the World War,—his devotion to the national cause was unquestioned. In November, 1918, he was elected for a full term. In 1922 Friend W. Richardson, an experienced editor and state official, received the Republican nomination for governor over Stephens, and as a conservative Republican was elected by a large majority over Thomas Lee Woolwine, his Democratic opponent. Richardson's rigorous retrenchment policy and "stand-pat" attitude on questions of social reform won for him considerable political opposition. In 1926 the Republican nomination was won by Clement C. Young, who defeated his Democratic opponent for the governorship, Justus S. Wardell, by a plurality of more than 500,000 votes. Governor Young, who served as speaker of the Assembly for three con-

secutive sessions and as lieutenant-governor for two terms, a progressive Republican of wide legislative experience, was thus given the greatest plurality ever polled in the state for the office of its chief executive.

In national politics California has during recent years continued emphatically Republican, giving its electoral vote, by large majorities, to Harding in 1920, to Coolidge in 1924, and to Herbert Hoover in 1928. Hoover's plurality over his Democratic opponent reached the astonishing figure of 547,947 votes.

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Chapter XLIII

JAPANESE IMMIGRATION

THE history of the Japanese question in California has from the first been colored by the facts and traditions regarding Chinese immigration. The Japanese inherited much of the prejudice against their predecessors, the Chinese; but there are striking divergences between the two races.

Commodore Perry's Expedition

Commodore M. C. Perry organized and commanded his memorable expedition to Japan in 1853; by establishing treaty relations during the following year he was instrumental in opening that hitherto sealed nation to Western influences. Within a few years Japan was open to trade and residence of the citizens of five world powers; although her age-long policy respecting emigration was not altered for years afterward.

In 1850 members of the crew of a Japanese vessel that suffered shipwreck were rescued and brought to America: there is little doubt that during the fifteen years following numerous cases of Japanese cast-offs were rescued and brought to our shores. Official reports indicate that during the decade 1861-70 more than two hundred came to the United States. There is evidence of the beginnings of Japanese migration from Hawaii to the continent as early as 1870.

Japanese in California

In 1872 the legislature of California accorded a reception to a Japanese embassy, whose mission was com-

mercial negotiation. The distinguished consideration shown the visitors is reflected in a resolution adopted by the senate, "expressing a hope that their coming might be the harbinger of a commercial intercourse that would add largely to the happiness of the people of both countries."

Not until 1891 did the number of Japanese immigrants for a single year exceed one thousand. For the six years immediately following the numbers remained virtually constant; but for 1900 the astonishing number of 12,626 was recorded—a number never exceeded in a single year. The United States Census, in its admittedly incomplete enumeration, shows a total of Japanese residents in the country for 1900, as 24,326; for 1910, as 72,157; and for 1920, as 111,010.

Doctor C. C. O'Donnell, well known San Francisco politician, was said to be the first man to raise the cry, "Japs must go!" He lifted his voice in 1886, when there were only about 400 in the entire state. Generally speaking, however, the treatment accorded the Japanese continued friendly, even cordial, eliciting expressions of gratitude from Japan. The first real opposition was voiced at a mass meeting in San Francisco in 1900, at a time when the re-enactment of the Chinese Exclusion Act was under consideration. Investigation had disclosed that the same objections so vigorously proclaimed against the Chinese might be likewise applied to the Japanese. Moreover the acquisition of Hawaii by the United States in 1898 was followed by an influx of Japanese from the islands: two years later an unprecedented total entered this country.

During the spring of 1905 the problem was brought sharply before the people by a series of articles appearing in the San Francisco *Chronicle*. Then came the organization of the Asiatic Exclusion League, chiefly sponsored

by the trades unions, which had long been consistently hostile to Chinese immigration. At the first Japanese exclusion meeting, held Sunday, May 7, 1905, a resolution was adopted protesting against "the national policy, laws and treaties which allow Japanese to enter our ports, to the great detriment of our citizenship, our standard of living, and the progress of American citizenship."

San Francisco School Controversy

A resolution was adopted by the San Francisco Board of Education declaring for the establishment of separate schools for Chinese and Japanese pupils; but before final action was taken the city experienced the great disaster of 1906. When the "separate school order" was at length issued, requiring the transfer of a majority of the ninety-three Japanese pupils to the Oriental School, great indignation was aroused in Japan, and protests were promptly lodged with the American Government. Promptly putting himself in touch with the California authorities, President Roosevelt insisted that the national government was definitely concerned in the controversy, stating that, "As soon as legislative or any other action in any state affects a foreign nation, then the affair becomes one for the Nation, and the state should deal with the foreign power purely through the Nation."

In accord with the President's view, the order of the school board was rescinded, never having gone into actual effect. But the anti-Japanese sentiment was not to be so easily appeased. Agreeably to a recommendation of the newly organized Japanese and Korean Exclusion League, the school board passed a second resolution, October 11, 1906, announcing that Japanese children would be received only at the Oriental Public School. This order, though it involved but ninety children, was

regarded as an affront to the honor of the Japanese race which must not pass unnoticed. The national view was expressed by Secretary of State Elihu Root, namely, that the United States Government "would not allow any treatment of the Japanese people other than that accorded the people of other nations." In January the Attorney-General of the United States brought two actions in California for the purpose of enforcing the treaty with Japan.

The "school-boy incident" was rapidly developing into an international issue. The mayor of San Francisco and members of the school board journeyed to Washington for conference with President Roosevelt, and a little later (March 14, 1907) the suits were dismissed, the Board of Education having rescinded the objectionable order and adopted a modified resolution that proved acceptable. Notwithstanding the serious aspect of the school controversy, it was not a question of war—such talk was pronounced by Secretary Root as "purely sensational and imaginative." By the prompt and decisive action of President Roosevelt a diplomatic crisis was happily averted.

The arrival of Japanese laborers in large numbers brought alarm to the white laboring men, who stoutly demanded measures that would effectively restrict their unwelcome competitors. Hostile demonstrations were such as to cause Ambassador Aoki to bring the agitation to the attention of the President, who telegraphed Governor Gillett that the restrictive measures before the legislature would strain the friendly relations with Japan, and that he was negotiating for the exclusion of labor immigrants. Finally, upon this assurance, the troublesome bills were withdrawn at Sacramento.

"Gentlemen's Agreement"

The negotiations with Japan resulted in the famous "Gentlemen's Agreement," which became effective in 1908. On March 14 Japanese and Korean laborers from Mexico, Canada and Hawaii were excluded from continental United States. What was the "Gentlemen's Agreement"? It was embodied in diplomatic correspondence between Secretary Root and representatives of Japan, and it contemplated, "that the Japanese Government shall issue passports to the continental United States only to such of its subjects as are non-laborers or are laborers who, in coming to the continent, seek to resume a formerly acquired domicile, to join a parent, wife, or children residing there, or to assume active control of an already possessed interest in a farming enterprise in this country. . . ."

In accordance with this arrangement Japanese immigration was regulated—not without repeated protests in California, to be sure—during the period culminating in renewed agitation which led up to the California Alien Land Law of 1913, and, to a very considerable extent, to the national exclusion measure of 1924. Meanwhile President Taft negotiated a treaty of commerce and navigation with Japan which was based on the informal agreement of 1907 and which superseded the treaty of 1894. Thus was more complete reliance placed on Japan's declared intention to live up to the "Gentlemen's Agreement."

Anti-Alien Land Act of 1913

The legislative measure of 1913 was aimed to prevent aliens, particularly such as were ineligible to American citizenship, from holding land. This bill, known as the Webb Act, aroused a storm of protest. Nevertheless the

anti-Japanese feeling ran so high that the bill seemed about to pass when Ambassador Chinda obtained an interview with Secretary of State William J. Bryan, who tried to explain the difficulties arising from our theory of states' rights, heightened by the fact that while the national administration was Democratic, the state was Progressive-Republican. So pressing was the issue that President Wilson dispatched Secretary Bryan to Sacramento to counsel with the legislators and co-operate in drawing a bill "which would meet the views of the people of the state, and yet leave untouched the international obligations of the United States." It was seen that the assertion of a state right in direct contravention of a national treaty created an utterly untenable situation.

While the intercession of the President and his Secretary of State resulted in removing from the bill certain drastic clauses, the measure as a whole passed with overwhelming vote and received Governor Johnson's approval May 19, 1913, becoming effective in August. It provides that "Aliens not eligible to citizenship may inherit or devise real estate only as prescribed by treaty," that real property acquired by such aliens will escheat to the state, and that agricultural lands may not be leased to such aliens for periods to exceed three years. Governor Johnson pointed out that it was sought to deal only with agricultural lands; but the Japanese Government was far from satisfied. It lodged a series of formal protests at Washington, contending that the act was irreconcilable with the accepted principles set forth in the treaty, embodying, indeed, unjust and obnoxious discrimination.

That California was not alone in antagonism to Japanese immigration is observed by reference to alien land measures introduced in the legislatures of Oregon and Idaho in 1917. The State Department at Washington appealed to senators from these states to use their in-

fluence in preventing action that might result in embarrassment to the nation. While the general Immigration Act of 1917 was especially aimed at southern European immigrants, of particular significance to the Pacific Coast was the clause establishing an "Asiatic Barred Zone," by which were excluded natives of India, Indo-China, Siam, Arabia, and other defined areas. Japan was embraced in the area defined to include "islands not owned by the United States adjacent to the coast of Asia."

During the progress of the Peace Conference at Versailles following the World War the Japanese question again loomed large in international significance, Viscount Ishii serving notice in a speech in New York that unless discrimination against Japanese immigration ceased his nation would not enter the League of Nations. This scarcely "veiled threat" attracted wide attention; and finally Secretary of State Lansing from Paris notified the California senate "that any anti-Japanese legislation would seriously affect a settlement of peace terms." Thus once again was California led to desist,—but not to abate one jot in the uncompromising opposition to Japanese immigration. Indeed, the pressure from the Federal Government seemed to render the feeling even more intense and at the same time showed the importance of educating the nation to the perils of Japanese immigration and the necessity of a final solution by unequivocal national enactment.

Governor Stephens ordered an investigation of the whole question, and the result was the carefully prepared Report of the State Board of Control, "California and the Oriental," which was transmitted to Secretary Bainbridge Colby June 19, 1920. By this means the governor brought the subject, which he deemed of "transcendent importance," directly to the attention of the Federal Government.

Initiative Measure of 1920

This report still further stimulated the local agitation in favor of the Anti-Alien Initiative Measure of 1920. This proposal was submitted to the voters November 2, receiving a majority of more than three to one. The sweeping measure, which went into effect December 10, prohibits the "owning of land by Japanese or leasing of farm land to them," and forbids Japanese "from having any interest in any company owning real property." The enactment was a signal for repeated protest on the part of Japan; and the act of 1920 has been made the object of attack on constitutional grounds at virtually every point.

Economic Aspect of the Problem

As in the case of Chinese immigration, there had developed in California a deep-seated, persistent, and unalterable opposition to Japanese immigration. Where the Japanese were most numerous, there the hostility was strongest,—clearly a genuine feeling based upon a concrete situation and not a merely abstract race antipathy. Let us attempt to point out, in bold outline, the main causes for the facts observed.

The one all-compelling motive urging the Japanese outward, and particularly California-ward, was economic betterment. And if economic motives explain the emigration of the Japanese from their old hermit nation, we have but to reverse the picture to discover the first fundamental ground of objection to them in California,—it is plainly economic. As increasing numbers distributed themselves in certain industries of the state, there developed unmistakable and increasing dissatisfaction. Perhaps the most common ground of complaint was that based on the standard of living; "because they work unremittingly,—

man, woman and child," said Senator James D. Phelan, "and participate in none of the activities of the community, they are capable of crowding out, and do crowd out the white population, until today [1917] the greatest production of potatoes, garden truck, beans and berries is controlled by them."

A further ground for resentment lay in the disinclination of the Japanese to work for wages at all and their pronounced proclivity to bargain for a share of crop or a cash rent. In this they differed from Chinese laborers, as in their aptitude in adapting themselves to varied industries and in their inordinate land hunger, which brought down upon their heads ever-increasing animosity. Their 10,791 acres of farm land of 1909 increased to 74,769 acres, besides 1,036 city lots, in 1920, when they occupied a total of more than 427,000 acres. In some of the richest farming districts Orientals occupied an acreage of from fifty to seventy-five per cent of the total irrigated area. They were strongly intrenched in five important districts: (1) the rice district of Glenn, Colusa, and Butte counties; (2) asparagus, berry, vegetable, fruit, and vineyard sections of the Sacramento-San Joaquín delta and Sutter and Placer counties; (3) grape, raisin, and fruit districts of Fresno, Kings, and Tulare counties; (4) vegetable and fruit districts of Los Angeles and Orange counties; and (5) canteloupe and vegetable districts of Imperial Valley. The fishing industry rapidly fell into their hands, the numbers thus engaged increasing 168 per cent during the four-year period preceding 1920.

According to early naturalization laws only those aliens who are "free white persons" may become citizens of the United States. In 1870 the law was amended to include aliens of African nativity and persons of African descent. The federal court held that Japanese do not come within the meaning of the term "white persons," the

fact that a score of Japanese had been actually admitted to citizenship not being permitted to vitiate the general dictum that as a race they are ineligible to citizenship. The Chinese are specifically excluded by statute.

Just as certain persons had professed to see a conspiracy in the Chinese Government to gain California, then the Pacific Coast, for China, so there were not lacking those who later claimed that Japanese immigrants were "determined to win California for the Yamato race," the theory being that Japan had a deep longing for desirable territory for its excess population. On political as well as economic and social grounds the order of Native Sons of the Golden West maintained vigorous and unceasing opposition to Japanese immigration, protesting most earnestly against the presence of bodies of people ineligible to citizenship.

Social Considerations

Of all grounds urged in opposition to the immigration of Japanese probably the most fundamental and far-reaching is the social. If race amalgamation—that is, the inter-marriage of Americans and Japanese—is impracticable, it was argued, then the presence of a large population of the latter in the United States must inevitably constitute a race problem as certainly as has the African negro, and possibly even more difficult of solution. The birth rate of the Japanese in California was found to be so much higher than that of the whites as, in the opinion of many, to constitute a real menace. In explanation of this high birth rate it may be noted that the percentage of women rose from 3.9 per cent among immigrants of 1886 to 63.1 per cent for 1914: moreover, about nine-tenths of all immigrants were from fourteen to forty-four years of age. Thousands of young women were coming to the United States to join their husbands.

Here we introduce the "picture bride." The laborer in America who was unable to go home to be married sent for his wife. An exchange of photographs through a go-between made acquaintance possible. "They agree to become man and wife. The wedding ceremony is largely a matter of legal documents," continues a Japanese writer, "the whole expanse of the Pacific standing between the bride and the bridegroom." It is explained that the law of Japan sanctioned this practice, calling it "picture marriage." Americans strongly opposed the practice. In the first place, it shocked American sensibilities; again, it came to be regarded as a subterfuge and in effect an evasion of the "Gentlemen's Agreement"; furthermore, most of the "picture brides" were really laborers, promptly joining their husbands in field and farm; finally, it brought a numerous body of potential mothers for an unwelcome population factor, establishing homes and rearing families with no prospect of becoming an integral part of American communities. In October, 1919, the Japanese Association of America, keenly aware of the current criticism, passed a resolution proposing the abolition of picture marriages: two months later it was officially announced that after February, 1920, passports to "picture brides" would cease to be issued.

Termination of the "Gentleman's Agreement"

There is little room to doubt the efficacy of the "Gentlemen's Agreement" during the first years of its operation. That President Roosevelt foresaw the possibility of a failure of the arrangement is revealed by a telegram dated February 9, 1909, to Philip Stanton, speaker of the California Assembly, in which it was admitted that cause might arise for a reversal of the national policy. In the nature of the case the plan could not be looked upon as a final solution of the international problem.

During the decade 1910-20 evidence pointed to the conclusion that smuggling across the Mexican border was carried on to a considerable extent: while it would be unjust to ascribe this to design on the part of the Japanese Government, it tended to prove that the "Gentlemen's Agreement" failed after a few years successfully to serve the purposes intended.

In some cases Japanese were charged with signing leases in which they had no interest in order to permit their return; in others corporations were formed to avoid the prohibitions of the Law of 1913; later corporations were formed with minor children,—American-born of Japanese parents,—as principal stockholders. Such evasions and subterfuges may be regarded as having been inevitable under existing conditions; the net result was a deepening of suspicion of the Japanese in California and incessant clamor for legislative exclusion.

Immigration Act of 1924

In the spring of 1924 the whole immigration policy of the United States came before Congress for readjustment. To the comprehensive measure proposed was attached a section aimed particularly at Japanese exclusion. The bill passed the House: even then it was generally assumed it would be unacceptable in the Senate. The situation was instantly changed when Ambassador Hanihara made public a letter defining the "Gentlemen's Agreement" and used the words "grave consequences" to describe how seriously Japanese opinion would be affected if Congress should pass an act impugning the honor of his country. The expression was regarded as a "veiled threat" to the United States,—forthwith the Senate proceeded to pass the obnoxious section by an overwhelming vote. In approving the bill as a whole President Coolidge stated that if the exclusion provision had stood alone

he would have disapproved it without hesitation; but the importance of the comprehensive measure at the time impelled him to affix his signature to the bill. The act abruptly put an end to the "Gentlemen's Agreement," and provides that no aliens ineligible to citizenship (except exempted classes) shall be admitted into the country. Thus Congress enacted into a general statute, with no specific mention of Japan, a long-established and well-understood policy of the United States—that of discouragement of the immigration of aliens ineligible to citizenship and hence definitely unassimilable. The Japanese in reality constitute less than ten per cent of the population affected. Charles E. Hughes, Secretary of State, while expressing friendliness to Japan, stated that "Congress had acted entirely within its rights and without any intent to insult Japan or hurt her pride, and that the matter was ended." Nevertheless it was difficult for the Japanese, who entertained feelings of wounded national sensibilities, not to see in the exclusion act a suggestion of racial inferiority. The real problem, so well pointed out by Governor Stephens, "has nothing to do with any pretensions of race superiority, but has vitally to do with race dissimilarity and unassimilability." The relations between Japan and the United States, as between the East and the West, are destined to be more intimate with the passage of time, and commercial ties, as well as deeper cultural bonds, since the World War bespeak for the Japanese Empire and the American Republic ever-increasing relations of friendship from opposite sides of the great Pacific.

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Chapter XLIV

MATERIAL PROGRESS

Mining Industry

THE beginnings of hydraulic mining on a large scale date from 1855. This method of extraction, which is peculiarly dependent upon a reliable water supply, necessitated the digging of many hundreds of miles of ditches and the construction of storage dams. Wooden flumes were used where ditches were impracticable, though these seldom lasted a decade. Inexperience and defective engineering proved very expensive. The nozzles, which at first did not exceed one inch in diameter, later varied from four to nine inches.

The destruction to agriculture wrought by hydraulic mining on a large scale was devastating to the whole country for hundreds of square miles. The beds of rivers, particularly the Sacramento, were so raised by the débris as to occasion frequent floods, which deposited sand and clay over extensive areas of excellent agricultural lands. Billions of tons of detritus were washed into the Yuba, Bear, and American rivers, filling their beds with boulders and yellow mud, known as "slickens." Winter rains suddenly transformed the gentle streams into torrential rivers, and the extent of sheer erosion was almost incredible. The bed of the Sacramento was raised several feet, impairing summer navigation by any except light-draft vessels: large deposits were carried even to the straits of Carquinez, and shoals were formed in Suisun Bay.

The courts were invoked to decide whether miners had a right to jeopardize the interests of agriculturists.

After prolonged and vexatious litigation, not unmixed with politics, the hydraulic mines in the Sacramento-San Joaquín watershed were finally closed down,—it had been shown that a result of the process was to injure the lands adjacent to the navigable streams below.

The California Débris Commission Act, approved March 1, 1893, provided for the creation of a commission to exercise powers under the general direction of the Secretary of War. Hydraulic mining that directly or indirectly injured the navigability of the river systems was declared unlawful. Provision was made for resuming operations under severe limitations, after approval of impounding dams; but hydraulic mining in California on the gigantic scale of an earlier day was gone forever.

Dredger mining is a recent method of extracting gold from the soil. A great machine was built on a scow which was floated on an artificial pond fed by means of a ditch. A chain of heavy buckets brought up sand, rocks, and gravel, from which the gold was washed, the refuse then being sluiced to either side, rendering the soil a desolate waste. The dredger crept through many acres of farm lands and orchards of Butte County, "literally eating up the soil." Dredger mining has now been largely discontinued.

By present-day approved methods California still supplies approximately thirty per cent of the gold produced in the United States. Other metallic resources of the state that are commercially important include silver, copper, lead, tungsten, and still other metals.

Of increasing importance is a long list of non-metallic resources. Extensive saline deposits include borax, common salt, soda and potash; of industrial materials are mentioned asbestos, clay, infusorial earth, silica, and sulphur; structural materials include asphalt, cement, lime, marble, and a variety of rock products. Cement has

come to rank second only to petroleum, prodigious quantities being demanded in modern highway construction. Upwards of fifty mineral substances are found in California's commercial list.

Petroleum

The "black gold" of California stands unique in its wizardry. The existence of petroleum was not unknown, even from the time of the missionary padres. Asphaltum from La Brea beds near Los Angeles was used as roofing material, and natural seepages had been found at other points. The great oil excitement of 1859-60 in the east spread quickly to California: scores of companies were formed, with not a little "frenzied finance" in promotion schemes and sheer speculation. But the feverish efforts of the 'sixties were uniformly unsuccessful, and the first period of oil development ended in practical failure. Few companies survived the years of readjustment, and in 1884 only four companies were producing oil in the state.

That year marks the beginning of the present Union Oil Company, with Lyman Stewart's modest investment in California oil properties. In 1892 oil was discovered in Los Angeles; and within three years as many hundred wells were bored, presenting a strange, new sky-line of clumsily-constructed derricks. There was a speedy return of feverish excitement and speculation. In 1897 the production of the Los Angeles field was 1,400,000 barrels; five years later the output of 1,400 wells was 9,000,000 barrels. In 1899 J. F. Ellwood discovered oil near Bakersfield: outside capital was attracted, and the memorable Bakersfield boom resulted. To meet the increasingly complex transportation problem tank cars were built, pipe lines were constructed,—in some in-

From Pictorial History of California

SCENE IN A SOUTHERN CALIFORNIA OIL FIELD

stances hundreds of miles long, with numerous laterals,—and each of the leading companies built fleets of tanker vessels to transport the oil to markets across the seas.

The story of California's oil production reads like a highly fanciful romance. The 4,329,950 barrels for 1900 mounted to 77,697,568 barrels in 1910, while in 1923 the amazing total of 25,000,000 a month was reached. The production for the following year, valued at more than a quarter of a billion dollars, constituted nearly seventy per cent of the combined value of the state's complete mineral production. The producing fields are grouped in three major divisions: (1) Los Angeles basin including Santa Fé Springs, Signal Hill, Huntington Beach, Whittier, Fullerton, Coyote Hills, Montebello, Richfield, Compton, Torrance, Salt Lake, Dominguez, Rosecrans-Athens, and Inglewood; (2) San Joaquín district, including Kern River, McKittrick, Midway-Sunset, Lost Hills-Belridge, Coalinga, Elk Hills, and Wheeler Ridge; (3) Coast fields, including Watsonville, Santa Maria, Ventura, Newhall, and Summerland. Conspicuous among pioneers in California oil development have been Lyman Stewart, founder and long-time president of the Union Oil Company; Edward L. Doheny, who by striking oil in 1893 entered upon perhaps the most romantic and spectacular career of all the world's oil magnates; and Captain John Barneson, who "fathered" the General Petroleum and first promoted the use of fuel oil for steamships. In recent years the wise conservation of the oil supplies has become a major problem.

Agriculture

Contrary to the early belief, conditions proved favorable to agricultural pursuits,—the weather is excellent, with high percentage of sunshine and genial warmth; the

proximity of ocean currents tempers the climate, tending to equalize north and south; fertile soil is found in vast areas and of all varieties.

The 872 ranches of 1850 averaged approximately 4,500 acres, valued at less than $2 per acre; in 1920 the average farm contained less than 250 acres, valued at nearly $120 per acre. During many years there was no greater barrier to the industrial progress of the state, or to its moral well-being, than the relatively monopolized condition of fertile agricultural lands.

As pointed out in an earlier chapter, the first foundations of agriculture were laid by the Franciscan padres,—though the entire Spanish-Mexican régime may be called California's pastoral era. During the "flush times" agricultural development was very backward. But from the beginning of the Civil War there was unprecedented expansion. The supremacy of the vast wheat ranches of the great central valley was clearly established. The state rapidly became a large exporter, especially because California wheat was much sought after in Europe. In 1889 California ranked second among all the states in wheat production; though there was springing up even then a wide diversity of agricultural and horticultural interests.

Beginning about 1890 and following the early period of exploitative farming methods, there began an era of commercialization and reorganization. Business aspects of farming activities demanded specific attention. Farm products came to include hay, wheat, barley, oats, cotton, corn, rice, and other crops.

The phenomenal development of irrigation in virtually every part of the state has played a conspicuous part in increasing production and enhancing values; hence the slogan, "Irrigated agriculture—the dominant industry of California." Cotton affords a striking illustration.

While experiments were made with cotton as early as 1857, it did not attain a place of commercial importance for many years, chiefly because—like corn—it could not be successfully cultivated without irrigation. In the early 'seventies approximately 2,000 acres of cotton were cultivated in all California, the ordinary yield ranging from 250 to 500 pounds per acre. With the amazing reclamation of Imperial Valley, however, cotton production became an important industry, the first commercially significant crop being that of 1909. Cotton production quickly won a high and permanent place in that new wonderland. Recent sensational development dates from 1918, when Imperial Valley harvested a crop from 138,000 acres, clearly demonstrating the triumph of cotton growing on the irrigated lands of the Southwest. Likewise in the San Joaquín Valley, where the acreage devoted to cotton culture was comparatively small as late as 1923, the expansion was phenomenal, some 90,000 acres being thus used in 1925. The quality of the product is distinctly superior and the yield per acre far in excess of that in the old cotton belt of the South.

Horticulture

The padres likewise introduced into California the orange, lemon, pear, olive, and other fruit trees, as well as grapes and other vines. Still it cannot be said that horticulture assumed any considerable commercial importance for many years. After a long period of doubt and incredulity—greatly aggravated by lack of transportation facilities—the high percentage of sunshine, with its genial, fructifying warmth, came to be reckoned as one of the state's chief assets. On account of the influence of ocean currents, moreover, it was observed there is comparatively little difference in temperature between northern and southern California. It is now well known

that orange groves flourish along portions of the Sacramento Valley as far north as Oroville, Chico, and Palermo.

California citrus fruits include oranges of several varieties, lemons, and grapefruit. The group ranks, with the grape industry, at the head of the state's horticulture interests. As an individual crop the orange is the most valuable, though there are less than 250,000 acres of bearing oranges.

The Washington Navel orange owes its origin in California to Mrs. Eliza Tibbetts of Riverside. The name of this "golden apple" of immense commercial importance was chosen "out of grateful remembrance to the city where it came from and the Father of his Country as well." It was under the loving care of Mrs. Tibbetts that the two trees, imported from Brazil and sent out from the Department of Agriculture in 1873, grew and throve,—the parent stock for myriads of comely orange trees growing on thousands of acres. Orange groves have reached their greatest development in southern California, in the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Ventura, and Santa Barbara.

The citrus industry as a whole has attained huge magnitude. The total production for the state during 1928 is placed at 38,900,000 boxes, valued at $127,820,000. Grapefruit has not been a relatively large factor, but more than 13,000 carloads of lemons were shipped during a single season. In addition to regular shipments of fruit, increasing amounts are being absorbed in local markets and for valuable uses in making by-products. An indispensable agency in the prodigious expansion of the citrus industry has been the operation of the California Fruit Growers Exchange, the most powerful as well as the most efficient cooperative fruit marketing associa-

tion in the world. It has spent great amounts in advertising campaigns to promote the "Sunkist" brand of oranges—a standard of quality everywhere.

Brief mention must be made of other California fruits. French prunes were introduced in 1854. For years regarded as a plebeian among fruits, this product has won a preferred place because of its health-giving qualities. Santa Clara Valley is recognized as the world's chief producer. From the small beginnings of olive culture at the early missions, California now numbers its millions of trees, a single grove in San Fernando Valley containing 2,000 acres. Peaches, both for canning and drying,—a fruit that for years many thought could not be successfully produced in California,—have become a leading crop, as is indicated by the production of 548,000 tons in 1928, no other state even approaching such magnitude. California also ranks first among the states in the production of cherries, apricots, pears, plums, walnuts, and almonds. Apricots, almonds, and walnuts are California monopolies, while the state produces approximately sixty per cent of the world's prune crop and one-third of the commercial pear crop.

The grape industry, including raisin production, has grown to unbelievable proportions since Agoston Haraszthy, a pioneer of 1851, began operations as a pioneer wine maker. The acreage devoted to vineyards increased from 70,000 acres in 1880 to more than a quarter of million acres in 1924. The beginnings of the raisin industry antedate the Civil War; but as late as 1880 the production amounted to only 75,000 small boxes. Ten years later the output was 1,600,000 boxes; still the country remained a net importer till 1905. Since 1920 the yield has been enormous, the total grape production for 1928 being 1,413,000 tons, including raisins (dried) valued at upwards of $10,000,000. Notwithstanding the

organization of growers into marketing associations, the crop overtook the increased demand shortly after the World War and the entire industry was imperilled because of apparent over-production.

In horticultural production viewed as a whole California is without a rival, leading all other American states in the output of twenty-five different products of the soil.

Dairying also has reached amazing proportions, its annual products being valued at more than $100,000,000. Little use was made of butter and milk during Mexican ranch days, the chief value of herds being in hides and tallow. By the early 'sixties there had developed about the San Francisco Bay district and in Humboldt County a considerable production of dairy products;—the State's output of butter for 1867 was 6,000,000 pounds, half as much cheese being produced. In recent years the industry has experienced phenomenal expansion, more than trebling in a period of twelve years. The dairy of earlier days—neither too sanitary nor conveniently arranged—has been supplanted by the modernized farm with the latest labor-saving devices and scientific methods. Some of the world's finest herds of pure-bred Holstein and Jersey cows are to be found in California. Butter remains the principal product of the dairy, although the output of condensed milk and of ice cream has increased still more rapidly. Other products include market milk and cream, evaporated milk, cheese, milk powder, and casein: leading by-products are beef and veal. The industry is widely distributed throughout the state, Stanislaus and Imperial counties being of special importance.

Prominent among agencies for the advancement of agriculture stands the Grange, or Patrons of Husbandry. This greatest of farmers' fraternities was organized in Washington, D. C., in 1867, and first introduced into California in 1870. By 1876 more than 250 local

granges were reported in the state. Early business ventures proving generally unsuccessful, attention was subsequently devoted mainly to educational, legislative, and social work.

Reclamation and Irrigation

During recent years fabulous quantities of vegetable products have become a part of California's record. The great triangle lying within the fork caused by the junction of the Sacramento and San Joaquín rivers, comprising more than 500,000 acres, which had from time immemorial been a group of low islands and swampy plains, has been transformed by virtue of dyke protection from flood and by modern reclamation into one of the world's most productive areas. This great Delta region, known as the "Holland of America," is famous for its deciduous fruits and its vast output of asparagus, spinach, celery, and other vegetables. The conquest of the tule-covered swamp has cost many a battle, but man and science have signally triumphed.

But the most conspicuous example of readjustment wrought by reclamation and irrigation, affording actual demonstration of sheer results accomplished, is found in the transformation of the great Colorado Desert into the opulent Imperial Valley. This vast arid region, virtually without rainfall, has become a garden spot for multitudes, pouring out undreamed-of treasure. Plans for reclamation were presented to George Chaffey, who saw in them a great opportunity. The Imperial Land Company was organized as a colonizing agency and actual work was begun in 1900. The coming of the railroad in 1902 brought on a "boom" in good earnest: but the struggle was long, intense, and bitter. It was only the "Spirit of the Valley" that brought ultimate victory. Harold Bell Wright's story, *The Winning of Barbara*

Worth, made Imperial Valley famous throughout the United States. Few scenes are more dramatic than the final closing of the 1,100 foot gap through which the waters of the mighty Colorado were pouring in 1906, bringing havoc and ruin to the valley; few engineering achievements are more brilliant than that of H. T. Cory and his associates, employing the generous facilities of the Southern Pacific Railroad, in finally conquering the great crevasse, February 10, 1907, and forcing the unruly river back into its own channel.

Meanwhile agricultural developments were proceeding phenomenally. From nothing at all at the beginning of the century, 25,000 acres were under cultivation in 1903. By 1909 more than a thousand miles of main and lateral canals had been constructed; in 1913 the canal system covered more than half a million acres in the United States and Mexico. Barley, alfalfa and other farm crops were rapidly mounting; dairying became an important industry; but still more significantly, Imperial Valley earned the title, "Winter Garden of the World." Within eight years from the humble beginnings of the lettuce industry, shipments in 1924 reached a total of 9,489 carloads,—more than one-half of all shipped from the entire state. Imperial has become equally famous for canteloupes, a total of 16,003 carloads being shipped in 1924.

In less than half a human life-time the Colorado Desert of untold ages has become the Imperial Valley of today. Here is to be found the largest irrigation district project, privately or publicly operated, in the United States. Waste places have become fabulously productive; electricity turns the wheels of industry; modern transportation opens the world's markets; schools and churches contribute to the culture of an enlightened population. And with the passage of the Boulder Dam Bill

in Congress in December, 1928, still greater gifts are sought from the Colorado River.

Irrigation in California is of comparatively recent development. As late as 1871 the area reported under irrigation was only 90,344 acres. A new era in immigration began in the 'eighties, and in 1884 the California State Irrigation Convention met at Riverside for discussions on the use of water in irrigation, and related topics. The Irrigation District Law of 1887 made provision for popular elections on the question of organizing districts; and as illustrations of the results of its application reference may be made to the Modesto District, the Turlock District, and several others, in some of the best farming and dairying land of the San Joaquín Valley. Much of that inland empire has been transformed by the application of a controlled supply of irrigation water.

More than elsewhere the incalculable benefits of irrigation are appreciated in southern California. Prosperous towns like Pomona and Riverside have been built on transformed areas; the great citrus industry owes its very existence to irrigation water; Los Angeles City, metropolis of the Pacific Coast, and Los Angeles County, the world's premier county in agricultural production, are alike unthinkable in the absence of life-giving irrigation water. Irrigated agriculture, once ridiculed by many, has been called the dominant industry of California.

In addition to being the *sine qua non* for irrigation, water is the chief source of power, its availability being almost without parallel. The development of hydroelectric energy has been going forward for a generation. The Southern California Edison Company increased its generating capacity from 12,000 H.P. in 1900 to 500,000 in 1923. By 1928 it was serving upwards of 300 cities and towns, over an area of 55,000 square miles, with a

population of 2,000,000. The Pacific Gas and Electric Corporation serves a vast field embracing thirty-eight counties of central and northern California. The total output of electric current in the state for 1927 represented an increase of 62.4 per cent in a five-year period. "White Gold" is being distributed more and more widely every month, bestowing blessings wherever it goes.

Conservation of Natural Resources

"No state has gained more than California from the artificial application of water," says Elwood Mead, "or has more at stake in the extension of its use." Irrigation is but a species of conservation, which has come tardily to be recognized as a problem of first magnitude. Hand in hand with the conservation of water resources is that of the matchless forest areas. Within a single generation far-stretching mountain-sides have been ruthlessly denuded of their forests, and over vast stretches devastating fires have swept with their withering blasts.

Scientific forestry has, however, exhibited notable advance in the region of the majestic redwoods. Within the last decade lumbering companies have assumed management of their properties on the basis of continuous production. Officers of the California Forest Protective Association planted close to a million and a half young redwood, Douglas fir, spruce and cedar trees on cut-over lands in Mendocino and Humboldt counties during the winter of 1924-25.

The California Development Association has accepted leadership in a movement to develop a state-wide policy of conservation, the chief objective being public service through wise measures applied to California's natural resources,—water, forests, land, oil, and mining, recreation and scenic. The "giant among the projects" is the control and development of the Colorado River, by inter-

state agreement and under the Federal Government, for every worthy purpose.

The San Francisco Disaster

At this point brief reference is made to what was probably the most destructive single event in the entire history of the Golden State, but which nevertheless has proved a blessing in disguise when viewed in its true perspective. The most serious earthquake disaster in American history occurred in California at about ten minutes past five o'clock on the morning of April 18, 1906. This is known as the San Francisco Earthquake: it owed its origin to a violent rupture of underlying rock, and in scientific phrase is described as "a new slipping on the plane of an old fault." The fault line trends northwest to southeast, being traceable from Point Arena to San Juan, a distance of 180 miles.

Heavy losses were suffered not only in San Francisco but likewise in several other centers, notably Santa Rosa, San José, and Stanford University. Following the earthquake in San Francisco, which resulted in the destruction of many hundreds of buildings as well as the rupture of water and gas mains, for three days and nights the conflagration raged, defying all attempts to stay its terrible progress until it reached that beautiful, wide boulevard, Van Ness Avenue. The resulting loss of life was placed at 452 persons and the property loss at upwards of $200,000,000. Appalling as was the disaster, however, undismayed leaders quickly reached the decision to rebuild the city on a more magnificent and more enduring scale than ever before. San Francisco rose triumphant to the occasion and once more vindicated the lesson of the phœnix myth, "rising from the flames in front of the Golden Gate." As a fitting announcement to the world

of the building of a better city, she became host in 1915 to the great Panama-Pacific International Exposition.

Los Angeles Harbor

Practically every important step in the development of California has been achieved, at least in part, by virtue of improved transportation facilities,—a remark that applies with peculiar force to Los Angeles and the south. The votes to consolidate the towns of Wilmington and San Pedro with the city in 1909 marked a distinct advance in the expansion program, securing to the people the advantages of a great harbor. Legal consolidation of the harbor towns to Los Angeles had been rendered possible by the earlier annexation of the "shoe-string," a strip of land 500 feet wide and extending from the city limits to the limits of Wilmington, fifteen miles distant, thus making it legal to annex the harbor district as contiguous territory.

As a result of a long and memorable contest San Pedro had been selected as the best location for the harbor in preference to Santa Monica, which was strongly urged by the Southern Pacific Railroad. From 1910 the development of the port of Los Angeles, which has often been ridiculed as the "irrigated harbor," and the expansion of its maritime commerce constitute one of the most amazing chapters in the history of the Southwest. Its "man-made harbor" quickly brought Los Angeles to a conspicuous place among seaport cities of the world. Reasons for this include the facts that the port is the gateway for the flood of commerce flowing to the developing southland, that Los Angeles has become the world's greatest oil port, that its fish canning industry has exceeded that of Boston in magnitude, and that it is situated on the great circle route to the Orient. It has be-

come a proud boast that "Every daylight hour some ship rises out of the sea lanes of the world to enter the port of Los Angeles."

California and the World War

Because of geographical position California was most remote from the active scenes of combat in the Great War against the Central European powers. Nevertheless Californians responded to the call to service with instinctive loyalty and a high sense of devotion. First and last the state contributed more than 150,000 men to the cause of the Allies in the great struggle. Of these nearly 4,000 died in the service, the total casualty list including upwards of 34,000 names. Particular pride was taken in the achievements of the Ninety-first Division, fighting in the Battle of the Argonne with such incredible audacity and resourcefulness as to win high commendation from their commander and warm words of praise from the Allies.

The entire population became engrossed in the absorbing problem of gaining the victory,—in no previous war had there been so many civilian organizations and activities enlisted. The California subscriptions to the four Liberty Loans numbered 2,434,351, amounting to approximately $768,781,000: the Victory Loan reached over $200,000,000—in each case the state quota being exceeded by a generous margin. Notable work was accomplished by the Red Cross, while the Young Men's Christian Association, the Knights of Columbus, and the Salvation Army were also conspicuous for their respective contributions.

The forces of education were marshalled as never before in the prosecution of the Nation's war aims. Ten days after diplomatic relations with Germany had been

severed President Benjamin Ide Wheeler of the University of California requested of the regents the power to place the University, its entire equipment and all its resources, unreservedly at the disposal of the Federal Government. Favorable response was instant. Of the 3,500 men of the University in active service approximately fifty per cent were commissioned officers: more than 100 members of the Faculty received commissions. Stanford University, the University of Southern California, and the other institutions of higher learning likewise responded with complete loyalty. Never before did the college render so conspicuous a service in a great war.

Though removed by thousands of miles from the scenes of actual combat, the fertile fields and ample resources of California made vitally important contributions to the food supply. Taking up the slogan, "Food will win the war!" they poured into the world's granaries, for the sustenance of the armies and needy peoples, huge quantities of wheat, barley, beans, fruits, meats, and vegetables. The unparalleled relief work carried on in Belgium and elsewhere was greatly aided by food supplies as well as money from the Golden State.

California's rôle in the Great War was a conspicuous and honorable one: her share in its achievements was glorious. The names of men like Herbert Hoover, Governor William D. Stephens, and Hugh Gibson, have been enshrined in permanent memory.

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Chapter XLV

CULTURAL DEVELOPMENT

Literature

IS there a California literature? An affirmative answer, says George Wharton James, presupposes three distinctive qualities:—the author must be a Californian, though not necessarily a native; the writing must be about California, relate to California subjects, or depict characteristic scenes or conditions; and above all, it must possess the California spirit.

Ramona is the purest type of California fiction, yet the author was born in Massachusetts; Bret Harte's stories are suffused with the "spirit of early American California," yet the author was not born in the Golden State; the "Poet of the Sierras" first saw light in Indiana. However, it will be conceded that, other things being at all equal, Californians of long residence and intimate contact are the best qualified persons to produce California literature. As tersely stated by Ella Sterling Mighels, "first literary historian of California," a California writer is one who is born here or who is re-born here. The zeal of not a few has unquestionably outrun their critical judgment, blinding them to defects or shortcomings; nevertheless California has a rich literary heritage, and there is developing a worthy literature that is truly Californian.

California literature at its best shows us the discipline of hardship, the virility of thought, the genius of achievement, the breadth of cosmopolitanism. It strives, as it were, to express the manifest destiny of a providentially favored population. The divergent elements in the surging tide of early population, the blending of discordant

factors into the swift current of human life afford ample materials for the historian, the essayist, the dramatist, and the writer of fiction. In *Ramona* Helen Hunt Jackson, always a sympathetic friend among the old families as well as of the Indians, breathed the very atmosphere of Spanish California and wrote what still remains the state's one great novel. The pictures of the old régime painted by the youth Richard Henry Dana in *Two Years Before the Mast* will never be forgotten—worthy of a place alongside of Gertrude Atherton's *The Splendid Idle Forties.*

California's almost complete isolation from the rest of the world preceding the construction of the Pacific Railroad afforded excellent opportunity for the literary expression of the pioneer spirit. Numerous books of travel and reminiscence deserve to be cherished for their literary flavor as well as for their historical value. Some of the best types are Bayard Taylor, *El Dorado* (1849), Edwin Bryant, *What I Saw in California* (1848), Alfred Robinson, *Life in California* (1846), and Walter Colton, *Three Years in California* (1850).

The first American newspaper was *The Californian,* dating from August 15, 1846; and a few months later the *California Star* made its appearance. The *Alta California* came into the field in 1849. *The Golden Era,* dating from 1852, was the first journal of literary pretension: other early magazines included *The Pioneer* (1854), *Hutchings' California Magazine* (1856), and *The Hesperion* (1858). Each of these had a brief career, but all are deserving of the student's attention. More fully than any other literary periodical, *Overland Monthly* has earned the right to recognition as California's typical magazine. Bret Harte engaged to become "pilot of the new literary ship," and in its first number (July, 1868) he defended the title he had selected,—the

grizzly bear has been symbolically associated with the *Overland* from the beginning. With Harte was associated a galaxy of California's best writers,—Noah Brooks and W. C. Bartlett on the editorial board, Charles Warren Stoddard, and Ina Coolbrith. After undergoing numerous changes and vicissitudes, the *Overland* entered upon its eightieth volume in May, 1923, having absorbed the *Out West,* which as an intensely individualistic journal had been the puissant product of Charles F. Lummis of Los Angeles. This original and valuable magazine, known from 1895 to 1902 as *Land of Sunshine,* boldly featured California as the "Right Hand of the Continent."

What the *Overland* has been among monthlies, the *Argonaut* has been among weekly papers. This vigorous publication, admirably suited to the taste and temper of San Franciscans, was founded in 1877 by Fred M. Somers and Frank M. Pixley. From the beginning it has maintained a high standard of literary excellence. Pixley was succeeded by Jerome A. Hart as editor, and he in turn was succeeded by Alfred Holman.

Along with Bret Harte, master of the short story, must be mentioned Joaquin Miller (Cincinnatus Heine Miller), "Poet of the Sierras," whose tributes to the forty-niners have served to immortalize the American Argonauts, and whose "Columbus" has taken rank with the great poems of literature. Last of the three California writers who quickly attained world-wide fame was Mark Twain (Samuel L. Clemens). California, however, cannot lay exclusive claim to him, although much of his best writing was done in the Golden State and his first book is *The Celebrated Jumping Frog of Calaveras.*

The era beginning in 1869 did not prove altogether conducive to the production of good literature. The leading humorists—J. Ross Browne, Mark Twain, Dan de

Quille, Sam Davis, Squibob—were rapidly passing. Robert Louis Stevenson wrote *The Silverado Squatters,* Frank Norris gave us *The Octopus,* Jack London won fame for *The Call of the Wild* and numerous other stories. Yet few will venture to gainsay the statement that the great California novel of the modern period still remains to be written.

Among the galaxy of poets Ina Donna Coolbrith is by popular acclaim accorded an honored place. By act of legislature she was designated poet laureate. Redolent of the finer California spirit, her exquisite verses have never been surpassed,—her meadow larks will never cease to warble. The appearance of "The Man with the Hoe" in more recent years brought instant recognition for Edwin Markham, who was hailed as the "poet of humanity." Other California poets,—to mention but a few —include Clarence Urmy, with his chaste *Vintage of Verse;* Herbert Bashford, who wrote "The Wolves of the Sea"; Madge Morris Wagner, and her "Lure of the Desert" and "Liberty Bell"; Carrie Stevens Walter, author of "Rose Ashes"; Fred Emerson Brooks, poet-lecturer; John Vance Cheney, lover of books and poet-humorist; Edwin Rowland Sill, California's purest lyric poet; Henry Meade Bland, who in "Sierran Pan," and "California, a Song of the Ultimate West" has struck some of the rarest chords of poesy; and—not least—George Sterling, whose tragic and untimely passing brought shock to sympathizing multitudes.

California is a paradise for nature writers and lovers of the out-of-doors. The brothers Joseph and John LeConte, in geology and the wider realms of science; John Muir, intimate friend and revealer of the glories of the mountains; Mary Austin, author of *The Land of Little Rain* and lover of desert expanses; Charles F. Lummis, eccentric but brilliant author and vigorous editor; George

Wharton James, writer of many works on nature's wonders; Galen Clark, "Father of Yosemite," author of *Big Trees of California;* Charles Howard Shinn, whose *Mining Camps* is equalled only by his forestry monographs:—such is but a partial list of those who found in California perennial inspiration to noble living and high literary expression.

Then there are John Steven McGroarty and "The Mission Play"; Charles Keeler with his juvenile poetry; Ambrose Bierce, "mighty censor of Californian journalism"; Charles Warren Stoddard, poetic lover of his favorite state; Thomas Fitch, silver-tongued orator and facile writer; Eliza A. Otis, with her rich poetic gifts; Lillian Hinman Shuey, poet of the majestical redwoods; Stewart Edward White, whose historical fiction won for him a distinct place in American literature; and a score of others to whom California was a benign mother. *The Story of the Files* and *Literary California* won for Ella Sterling Cummins (later Mighels) the title "Literary Historian of California" at the hand of the state legislature.

Not many California writers have achieved real eminence in letters: nevertheless the intangible spirit of the Golden State has been striving for expression in a true California literature, and actual accomplishment affords a substantial basis for hope of greater achievement in the future.

Fine Arts

William Keith, whose art has been so closely identified with California, is representative of much that is finest in modern painting, particularly in landscape work: he remains "the best known and most widely honored painter that California has produced." Other California painters include Thomas Hill, pioneer painter of "The Driving of the Last Spike"; J. Everett Stuart, master of the

purple sunset haze; Harrison Fisher, "the father of a thousand girls"; Maynard Dixon, Perham Nahl, John H. Rich, and H. C. ("Bud") Fisher. First among sculptors stands Gutzon Borglum, who began his career in San Francisco; others include Arthur Putnam, David Edstrom, Julia Wendt, William Wendt, and Joseph Mora. Arnold Genthe was supreme master of the art of photography. Distinctive California art will have been achieved only when there shall be developed an art that is "characteristically Californian and at the same time universal."

In the field of music may be mentioned H. J. Stuart, with his long career as organist and composer; Carrie Jacobs Bond, whose songs are known around the world; Charles Wakefield Cadman, one of the most brilliant contemporaneous composers; and illustrious singers like Emma Nevada, Sibyl Sanderson, Luisa Tetrazzini, Madame Schumann-Heink, Mario Chamlee, and Lawrence Tibbett.

The stage has found in California many devotees. Madame Modjeska was at the acme of perfection as Lady Macbeth, Ophelia, and Cleopatra; Maude Adams became the incomparable "Peter Pan"; Eleanor Calhoun electrified London audiences. David Belasco, George Broadhurst, and Oliver Morosco were distinguished play producers. The most distinctive of California's contributions to drama is John Steven McGroarty's "Mission Play," performed through long seasons annually at old San Gabriel.

The motion picture industry of the world centers at Hollywood. Notwithstanding its stupendous proportions commercially, its artistic phases are by no means to be minimized nor can its educational aspects be overlooked. But perhaps a clearer evidence of the cultural tastes of the people is found in the generous patronage given to the impressive, deeply reverential dramatization of the

life of the Christ known as the "Pilgrimage Play," and the world's greatest music in solo and symphony, faultlessly rendered each summer under the star-lit skies in Hollywood Bowl.

Education

Scarcely had the American conquest of California become a reality when the pioneers began to demand educational opportunities for their children. It was perceived by discerning minds that the English language must become prevalent: schools sprang up with remarkable rapidity. In September, 1847, the town council of San Francisco appointed a committee to take measures for the establishment of a public school: a school was accordingly erected on Portsmouth Square. In 1849 John C. Pelton arrived from Boston and with his wife opened a school in San Francisco on the New England plan. In 1851 the city was provided with a city superintendent of schools and a regular board of education. As State Superintendent of Public Instruction John Swett did yeoman service in behalf of a generously supported public school system following the Civil War; and still more recently the schools of the state won an enviable position in the eyes of the entire country. During the last generation the growth and expansion of the high schools has been phenomenal, and at present the junior college movement gains momentum annually.

The first institutions of collegiate grade were the result of Christian sacrifice and devotion. The charter of the University of the Pacific (first called California Wesleyan University) was dated July 10, 1851. Its chief founder was the Reverend Isaac Owen of the Methodist Episcopal Church. In 1870 the college was moved from Santa Clara to College Park (San José). With it was consolidated in 1896 Napa College, formerly Napa Col-

legiate Institute. In 1924 the institution, now College of the Pacific, was moved to an attractive campus at Stockton, where its growth has been rapid.

Santa Clara University, which is under the control of the Roman Catholic Church, was likewise founded in 1851, as a preparatory school. For many years it has been regarded as one of the strongest Catholic schools in the West. Mills College, situated in the suburbs of Oakland, was founded in 1852 as a school for girls: it has come to occupy a high rank among women's colleges of the country.

The University of California had been in contemplation from the time of the Constitutional Convention of 1849, though it was not actually organized till 1868. Rev. Samuel H. Willey may be regarded as its chief founder. Henry Durant had come to California in 1853 to found a university: in 1855 the College of California was incorporated with Durant and Willey among the trustees. The college, under Congregational control, opened its doors in 1860. In 1867 the property of this college was conveyed to representatives of the state to become the property of the University of California, and on March 23, 1868, the University was formally created when Governor Haight affixed his signature to the bill. Henry Durant was its first president, followed two years later by Daniel C. Gilman, who resigned in 1875 to accept the presidency of Johns Hopkins University. He was followed by John LeConte, who in turn was followed by other presidents—notably Benjamin Ide Wheeler—to the present encumbent (1929), W. W. Campbell. In 1919 the State Normal School at Los Angeles became by legislative act the University of California, Southern Branch, which has since developed a regular four-year college curriculum. For this rapidly growing institution,

now known as the University of California at Los Angeles, the regents in 1925 selected a site near Beverley Hills for the upbuilding of a beautiful campus, first occupied in 1929.

The University of Southern California, located adjacent to Exposition (formerly Agricultural) Park, Los Angeles, was founded in 1880 under the auspices of the Methodist Episcopal Church. With the development of numerous colleges and its graduate division, it has become the largest institution of higher learning in the entire southwest. Other institutions in the south include Pomona College (now a unit of Claremont Colleges, Incorporated), Occidental College, Whittier College, University of Redlands, and several others. California Institute of Technology, in Pasadena, has during recent years won a unique reputation for researches in chemistry and physics. For his remarkable studies in the intricacies of the atom Robert A. Millikan was awarded the Nobel Prize in 1923.

Leland Stanford Junior University was founded near Palo Alto by Senator Stanford in 1890 as a memorial to his only son, who died in early youth. Its avowed purpose was "to qualify students for personal success and direct usefulness in life." It is the most richly endowed of all private universities in the West. David Starr Jordan was its distinguished first president.

Public normal schools were established at San José, Los Angeles, San Francisco, San Diego, Chico, Fresno, Santa Barbara, and Eureka. By legislative enactment these (with the exception of Los Angeles) became state teachers' colleges in 1921. It is thus seen that educational activities in California, from kindergarten to university, have effected a remarkable development and displayed a dynamic quality nowhere surpassed.

Religion

Religion is not only the needful concomitant and undergirding of civics and politics,—Christianity has been historically an inspiration to true culture, the very heart of modern civilization. No moral equivalent for spiritual religion has yet been found.

The religious phase of Hispanic California is a familiar topic: attention must now be given to this factor of the American period. The typical westerner—whether uncouth trapper, rough-and-ready settler, or avaricious gold hunter—was characterized by an unshakable religious faith. Jedediah Smith was a devoted Christian gentleman, and from his active principles nothing could swerve him. Walter Colton was a Christian minister who mingled his religion with his official duties as *alcalde* as well as with his private life. The constitutional convention of 1849 recognized the sanctions of religion by inviting Rev. Samuel H. Willey (Protestant) and Padre Antonio Ramirez (Catholic) to officiate as chaplains and by admitting them to privileged seats.

It must be conceded that the great majority of the rank and file of the California pioneers yielded to the allurements of time and circumstance, to the neglect of formal acts of worship. It does not follow, however, that all was avarice and wickedness and strife. There were always conspicuous examples of men who firmly resisted the strong tide toward immorality and irreligion: many more responded to the earnest appeals of strong, godly men like "California" (William) Taylor, Albert Williams, John D. Lang, T. Dwight Hunt, Isaac Owen, and J. L. Ver Mehr.

The first Protestant church in California was organized by Presbyterians in Benicia in April, 1849; about a

month later the First Presbyterian Church of San Francisco was established. William Roberts was appointed in 1848 by the Methodists to preside over the mission conference embracing California and Oregon. Various Protestant denominations were active in organizing and promoting their work in the rapidly growing centers of population and in the sparsely settled country districts. The Catholics were likewise diligent under the leadership of the Archbishop. By 1860 there were twenty-nine Protestant church organizations in San Francisco, with twenty-two Sunday Schools giving religious instruction to 2,300 children. By 1876 the number of churches had increased to sixty.

After the secularization of the Franciscan missions and the division of the Pious Fund, the Catholic priests were indeed poor and very inadequately supported. But rapid rehabilitation followed the first excitement of the gold days. St. Francis Church in San Francisco was organized in 1849, and the following year Joseph Alemany, a capable and influential priest, was appointed Bishop of Monterey. He was transferred to San Francisco, when in 1853 he was made Archbishop. By 1875 the number of priests had increased from fifteen in 1850 to 121, while communicants had increased from 15,000 to 200,000, and numerous educational and charitable institutions had been established and were being maintained.

High tribute must be paid to outstanding leaders in California, men conspicuous for their ability and devotion to their high calling. Thomas Starr King, Unitarian preacher, actually lived in the state less than four years; yet such was his passion for the American Union and the torrent of his eloquence that after his death his portrait was suspended in the State Capitol bearing the inscription, "The man whose matchless oratory saved California to the Union." Visiting different sections of the

state during the Civil War, he kindled the fires of patriotism everywhere. Under his peerless leadership California gold contributed nobly to assist in preserving the Union. Among the cohorts of Methodist preachers none was more staunch or true than Myron C. Briggs, a founder of the University of the Pacific and a fearless editor. He was physically, intellectually, and spiritually broad-shouldered and robust, fit representative of California's best. It must be gratefully recorded that in the cultural development of California from the beginning until our own day the faithful preaching and teaching and ministrations of devoted men of God have supplied a significant and indispensable element among leading factors that have worked together for the elevation of the plane of human living and the exaltation of the higher spiritual realities in the commonwealth of California.

The Unity of California

From the beginning of its existence as a state California has experienced a recurrence of restlessness or active agitation on the question of geographic division. Indeed, the spirit of antagonism between the north and the south, in certain phases, antedates the period of the American conquest. In the first constitutional convention the southern delegation, favoring the organization of a territorial government, was completely overshadowed by the north which insisted on erecting a full-fledged state.

During the first decade of statehood the question of division came up in some form in nearly every session of the legislature. Specific reasons for seeking the creation of a separate state included the vast extent of the country, with dissimilarity of resources, the lack of acquaintance with American institutions on the part of the early Californians,—now largely confined to the south,—the heavy tax burden resting upon the southern land owners,

and the great distance from the southern centers to the northern capital. The feeling was widespread that in matters of current legislation the wishes of the southerners were not consulted and that their interests were very largely ignored.

In 1859 a resolution was introduced by Andres Pico in the legislature favoring segregation of the southern portion of the state from the more populous north and the creation of the "Territory of Colorado." The discussion revealed considerable bitterness and renewed the charge that the proposed division was "a revival of the old scheme to cut the State in half and bring in the southern part into the Union as a slave state." The Pico Bill was finally voted by both houses and signed by Governor Weller, who submitted the question of dismemberment to a vote of the citizens of the affected districts. The election brought out a vote of scarcely 3,300, these being in favor of division nearly three to one. Before final action could be secured at Washington, however, the country had become deeply agitated over secession and the impending conflict:—thus the measure failed to receive serious attention in Congress, and California escaped division.

For two decades the question peacefully slumbered, but it was earnestly revived in 1881; and since that date it has received serious consideration on several occasions, notably in 1909, when the horizontal advance of forty per cent in assessed valuation of Los Angeles County by the State Board of Equalization aroused intense indignation in the minds of certain citizens. But the issue was of lively interest to only a small minority of the people; and so strong was the opposition to division in northern California that the matter was finally dropped.

The fact that the state has endured for more than three-quarters of a century without division suggests that

there have always been powerful elements making for unity. A marked degree of unity is found to exist from the standpoint of geographical features; occupationally the different sections have been drawing rapidly together; phenomenal development of industry and means of transportation and communication have been breaking down barriers that formerly seemed truly formidable. The forces that make for unity have triumphed. Not least of these is the force of tradition, cherished by the legions of native sons and native daughters. These are lovers of the whole great state of California; and great is their faith in her high destiny.

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Appendix A

GOVERNORS OF CALIFORNIA

I. The Spanish Governors

Gaspar de Portolá, governor of *Las Californias,* Alta and Baja, 1768-1770. First ruler of the province of Alta California, rather as military commander than as civil governor, to July 9, 1770.

Felipe de Barri, governor of *Las Californias,* residing at Loreto, 1770-75.

Felipe de Neve, governor of *Las Californias,* residing at Loreto from March 4, 1775; at Monterey from February 3, 1777, to September 10, 1782.

Pedro Fages, September, 1782, to April, 1791.

José Antonio Roméu, April 16, 1791, to April 9, 1792.

José Joaquín de Arrillaga, governor *ad interim,* April, 1792, to October, 1794.

Diego de Borica, governor, October, 1794, to January, 1800.

José Joaquín de Arrillaga, governor *ad interim,* 1800 to 1804. Constitutional governor from 1804 to 1814.

José Argüello, acting-governor from 1814 to 1815.

Pablo Vicente Sola, governor from August 15, 1815, to November 22, 1822.

II. The Mexican Governors

Pablo Vicente Sola, hold-over from the Spanish régime to November, 1822.

Luis Argüello, acting governor, 1822-1825.

José María de Echeandía, 1825-1831.

Manuel Victoria, 1831-1832.

Pío Pico (twenty days), 1832.

José María Echeandía (in the south only), 1832-1833.

Agustin Vicente Zamorano (in the north only), 1832-1833.

José Figueroa, 1833-1835.

José Castro (acting-governor), 1835-1836.

Nicolás Gutiérrez (acting-governor four months), 1836.

Mariano Chico (three months), 1836.
Nicolás Gutiérrez (acting-governor three months), 1836.
Juan Bautista Alvarado (first revolutionary, then constitutional governor), 1836-1842.
Manuel Micheltorena, 1842-1845.
Pío Pico, 1845-1846.
José María Flores, 1846-1847.

III. American Governors Under Military Rule

Commodore John D. Sloat, July 7, 1846.
Commodore Robert F. Stockton, July 29, 1846.
Captain John C. Frémont, January 19, 1847.
General Stephen W. Kearny, March 1, 1847.
Colonel Richard B. Mason, May 31, 1847.
General Persifor F. Smith, February 28, 1849.
General Bennett Riley, April 12, 1849.

IV. Governors of the State of California

Name	*Politics*	*Date of Inauguration*
Peter H. Burnett	Ind. Dem.	Dec. 20, 1849
John McDougal	Ind. Dem.	Jan. 9, 1851
John Bigler	Dem.	Jan. 8, 1852
John Neely Johnson	Amer.	Jan. 9, 1856
John B. Weller	Dem.	Jan. 8, 1858
Milton S. Latham	Lecomp. D.	Jan. 9, 1860
John G. Downey	Lecomp. D.	Jan. 14, 1860
Leland Stanford	Rep.	Jan. 10, 1862
Frederick F. Low	Union	Dec. 10, 1863
Henry H. Haight	Dem.	Dec. 5, 1867
Newton Booth	Rep.	Dec. 8, 1871
Romauldo Pacheco	Rep.	Feb. 27, 1875
William Irwin	Dem.	Dec. 9, 1875
George C. Perkins	Rep.	Jan. 8, 1880
George Stoneman	Dem.	Jan. 10, 1883
Washington Bartlett	Dem.	Jan. 8, 1887
Robert W. Waterman	Rep.	Sept. 13, 1887
Henry H. Markham	Rep.	Jan. 8, 1891
James H. Budd	Dem.	Jan. 11, 1895
Henry T. Gage	Rep.	Jan. 4, 1899

Name	*Politics*	*Date of Inauguration*
George C. Pardee	Rep.	Jan. 7, 1903
James N. Gillett	Rep.	Jan. 9, 1907
Hiram W. Johnson	Prog. Rep.	Jan. 3, 1911
William D. Stephens	Rep.	Mar. 15, 1917
Friend W. Richardson	Rep.	Jan. 8, 1923
Clement C. Young	Rep.	Jan. 4, 1927

Appendix B

I. THE TWENTY-ONE MISSIONS

(With dates of their foundings and their founders)

San Diego de Alcalá, July 16, 1769. Junípero Serra.
San Carlos Borroméo, June 3, 1770. Junípero Serra.
San Antonio de Padua, July 14, 1771. Junípero Serra.
San Gabriel Arcángel. September 8, 1771. Junípero Serra.
San Luís Obispo de Tolosa. September 1, 1772. Junípero Serra.
San Francisco de Asis. October 9 (or 8), 1776. Francisco Palou.
San Juan Capistrano, November 1, 1776. Fermín Francisco de Lasuén.
Santa Clara, January 12, 1777. Tomás de la Peña.
San Buenaventura, March 31, 1782. Junípero Serra.
Santa Barbara, December 4, 1786. Fermín Francisco de Lasuén.
Purísima Concepción, December 8, 1787. Fermín Francisco de Lasuén.
Santa Cruz, September 25 (or August 28), 1791. Fermín Francisco de Lasuén.
Nuestra Señora de la Soledad, October 9, 1791. F. F. de Lasuén.
San José de Guadalupe, June 11, 1797. Fermín Francisco de Lasuén.
San Juan Bautista, June 24, 1797. Fermín Francisco de Lasuén.
San Miguel Arcángel, July 25, 1797. Fermín Francisco de Lasuén.
San Fernando Rey de España, September 8, 1797. F. F. de Lasuén.
San Luís Rey de Francia, June 13, 1798. Fermín Francisco de Lasuén.
Santa Inés, September 17, 1804. Estevan Tapis.
San Rafael Arcángel, December 14, 1817. Vicente Francisco Sarría.
San Francisco Solano (Sonoma), July 4, 1823. José Altimira.

II. PRESIDENTS OF THE MISSIONS

(Tabulated according to Bancroft)

Fray Junípero Serra	1769-1784
Fray Francisco Palou	1784-1785
Fray Fermín Francisco Lasuén	1785-1803
Fray Estevan Tapis	1803-1812
Fray José Señan	1812-1815
Fray Mariano Payeras	1815-1819
Fray José Señan	1819-1823
Fray Vicente Francisco Sarría	1823-1825
Fray Narciso Durán	1825-1827
Fray José Bernardo Sánchez	1827-1831
Fray Narciso Durán	1831-1838
Fray José Joaquín Jimeno	1838-1844
Fray Narciso Durán	1844-1846

Appendix C

PRESIDIOS AND MUNICIPALITIES

Dates of founding

Presidios and military towns

Presidio of San Diego, July 16, 1769.
Presidio of Monterey, June 3, 1770.
Presidio of San Francisco, September 17, 1776.
Presidio of Santa Barbara, April 21, 1782.

Civic municipalities

San José, November 29, 1777.
Los Angeles, September 4, 1781.
Branciforte (now extinct), 1797.

Mission pueblos

San Luís Obispo, September 1, 1772.
San Juan Capistrano, November 1, 1776.
San Juan Bautista, June 24, 1797.
Sonoma, July 4, 1823.

Appendix D

COUNTIES OF CALIFORNIA

Name of County	*County Seat*	*Year of Creation*	*Population Census 1920*	*Area Sq. Mi.*
1. Butte	Oroville	1850	30,030	1,722
2. Calaveras	San Andreas	1850	6,183	1,027
3. Colusa	Colusa	1850	9,220	1,140
4. Contra Costa	Martinez	1850	53,889	714
5. El Dorado	Placerville	1850	6,426	1,753
6. Los Angeles	Los Angeles	1850	936,438	4,067
7. Marin	San Rafael	1850	27,342	529
8. Mariposa	Mariposa	1850	2,775	1,463
9. Mendocino	Ukiah	1850	24,116	3,453
10. Monterey	Salinas	1850	27,980	3,330
11. Napa	Napa	1850	20,678	783
12. Sacramento	Sacramento	1850	91,029	983
13. San Diego	San Diego	1850	112,248	4,221
14. San Francisco	San Francisco	1850	506,676	46½
15. San Joaquin	Stockton	1850	79,905	1,448
16. San Luis Obispo	San Luis Obispo	1850	21,893	3,334
17. Santa Barbara	Santa Barbara	1850	41,097	2,740
18. Santa Clara	San José	1850	100,588	1,328
19. Santa Cruz	Santa Cruz	1850	26,269	435
20. Shasta	Redding	1850	13,311	3,858
21. Solano	Fairfield	1850	40,602	822
22. Sonoma	Santa Rosa	1850	51,990	1,577
23. Sutter	Yuba City	1850	10,115	608
24. Trinity	Weaverville	1850	2,551	3,166
25. Tuolumne	Sonora	1850	7,768	2,190
26. Yolo	Woodland	1850	17,105	1,017
27. Yuba	Marysville	1850	10,375	639
28. Nevada	Nevada City	1851	10,860	974
29. Placer	Auburn	1851	18,584	1,395
30. Siskiyou	Yreka	1852	18,545	6,256
31. Sierra	Downieville	1852	1,783	923
32. Tulare	Visalia	1852	59,031	4,856
33. Alameda	Oakland	1853	344,177	732
34. San Bernardino	San Bernardino	1853	73,401	20,157
35. Humboldt	Eureka	1853	37,857	3,634
36. Plumas	Quincy	1854	5,681	2,594
37. Stanislaus	Modesto	1854	43,557	1,450
38. Amador	Jackson	1854	7,793	601
39. Merced	Merced	1855	24,579	1,995
40. Tehama	Red Bluff	1856	12,882	2,893
41. Fresno	Fresno	1856	128,779	5,950
42. San Mateo	Redwood City	1856	36,781	447
43. Del Norte	Crescent City	1857	2,759	1,024
44. Mono	Bridgeport	1861	960	3,030

Name of County	*County Seat*	*Year of Creation*	*Population Census 1920*	*Area Sq. Mi.*
45. Lake	Lakeport	1861	5,542	1,278
46. Alpine	Markleeville	1864	243	776
47. Lassen	Susanville	1864	8,507	4,531
48. Inyo	Independence	1866	7,031	10,019
49. Kern	Bakersfield	1866	54,843	8,003
50. Ventura	San Buenav'tura	1872	28,724	1,878
51. San Benito	Hollister	1874	8,995	1,392
52. Modoc	Alturas	1874	5,425	3,823
53. Orange	Santa Ana	1889	61,375	795
54. Glenn	Willows	1891	11,853	1,259
55. Madera	Madera	1893	12,203	2,112
56. Riverside	Riverside	1893	50,207	7,240
57. Kings	Hanford	1893	22,031	1,159
58. Imperial	El Centro	1907	43,383	4,089

Appendix E

ACT FOR THE ADMISSION OF CALIFORNIA INTO THE UNION

(Approved September 9, 1850)

Whereas, The people of California have presented a constitution and asked admission into the Union, which constitution was submitted to Congress by the President of the United States, by message dated February thirteenth, eighteen hundred and fifty, and which, on due examination, is found to be republican in its form of government:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of California shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

2. The said State of California is admitted into the Union upon the express condition that the people of said State, through their Legislature, or otherwise, shall never interfere with the primary disposal of the public lands within its limits, and shall pass no law and do no act whereby the title of the United States to, and right to dispose of the same shall be impaired or questioned; and that they shall never lay any tax or assessment of any description whatsoever upon the public domain of the United States, and in no case shall non-resident proprietors who are citizens of the United States, be taxed higher than residents; and that all the navigable waters within the said State shall be common highways, and forever free, as well to the inhabitants of said State as to the citizens of the United States, without any tax, impost, or duty therefor; *provided,* that nothing herein contained shall be construed as recognizing or rejecting the propositions tendered by the people of California, as articles of compact in the ordinance adopted by the convention which formed the Constitution of that State.

3. All laws of the United States which are not locally inapplicable shall have the same force and effect within the said State of California as elsewhere within the United States.

Appendix F

UNITED STATES SENATORS FROM CALIFORNIA

(From *California Blue Book,* 1924)

Bard, Thomas. Republican. Term: March 4, 1899, to March 4, 1905.

Booth, Newton. Independent Republican. Term: March 4, 1875, to March 4, 1881.

Broderick, David C. Democrat. Term: March 4, 1857, to March 4, 1863. Died in office, September 16, 1859.

Casserly, Eugene. Democrat. Term: March 4, 1869, to March 4, 1875. Resigned, November 28, 1873.

Cole, Cornelius. Union. Term: March 4, 1867, to March 4, 1873.

Conness, John. Union. Term: March 4, 1863, to March 4, 1869.

Farley, James T. Democrat. Term: March 4, 1879, to March 4, 1885.

Felton, Charles. Republican. Term: March 19, 1891, to March 4, 1893. Vice George Hearst, deceased.

Flint, Frank P. Republican. Term: March 4, 1905, to March 4, 1911.

Frémont, John C. Free Soil Democrat. Term: September 10, 1850, to March 4, 1851. Sworn in day after California was admitted to the Union.

Gwin, William M. Democrat. Term: December 20, 1849, to March 4, 1855; March 4, 1855, to March 4, 1861. Sworn in day after California was admitted into the Union.

Hager, John S. Democrat. Term: December 23, 1873, to March 4, 1875. Unexpired term of Eugene Casserly, resigned.

Haun, Henry P. Democrat. Term: September, 1859, to January, 1860. Appointed by Governor Weller to serve until election of successor to David C. Broderick.

Hearst, George. Democrat. Term: March 4, 1887, to March 4, 1893. Appointed March 23, 1886, to succeed John F.

Miller, deceased. Held office until August 13, 1886. Died in office, February 28, 1891.

Johnson, Hiram W. Republican. Term: March 4, 1917, to March 4, 1923; March 4, 1923, to March 4, 1929. [Re-elected, November 6, 1928.]

Latham, Milton S. Democrat. Term: January 11, 1860, to March 4, 1863. Unexpired term of David C. Broderick, deceased.

McDougall, James A. Douglas Democrat. Term: March 4, 1861, to March 4, 1867.

Miller, John F. Republican. Term: March 4, 1881, to March 4, 1887. Died in office, March 8, 1886.

Perkins, George C. Republican. Term: July 22, 1893, to March 4, 1897. (Appointed by Governor Markham on July 22, 1893, and on January 23, 1895, was by the Legislature elected and served out the balance of Leland Stanford's term.) Term: March 4, 1897, to March 4, 1903; March 4, 1903, to March 4, 1909; March 4, 1909, to March 4, 1915.

Phelan, James D. Democrat. Term: March 4, 1915, to March 4, 1921.

Sargent, Aaron A. Republican. Term: March 4, 1873, to March 4, 1879.

Shortridge, Samuel M. Republican. Term: March 4, 1921, to March 4, 1927. [Re-elected, November 2, 1926.]

Stanford, Leland. Republican. Term: March 4, 1885, to March 4, 1891; March 4, 1891, to March 4, 1897. Died in office, June 21, 1893.

Weller, John B. Democrat. Term: March 4, 1851, to March 4, 1857.

White, Stephen M. Democrat. Term: March 4, 1893, to March 4, 1899.

Williams, A. P. Republican. Term: August 13, 1886, to March 4, 1887. Vice George F. Miller, deceased. George Hearst was appointed until the election of Williams as successor to Miller and served from March 23, 1886, to August 13, 1886.

Works, John D. Republican. Term: March 4, 1911, to March 4, 1917.

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